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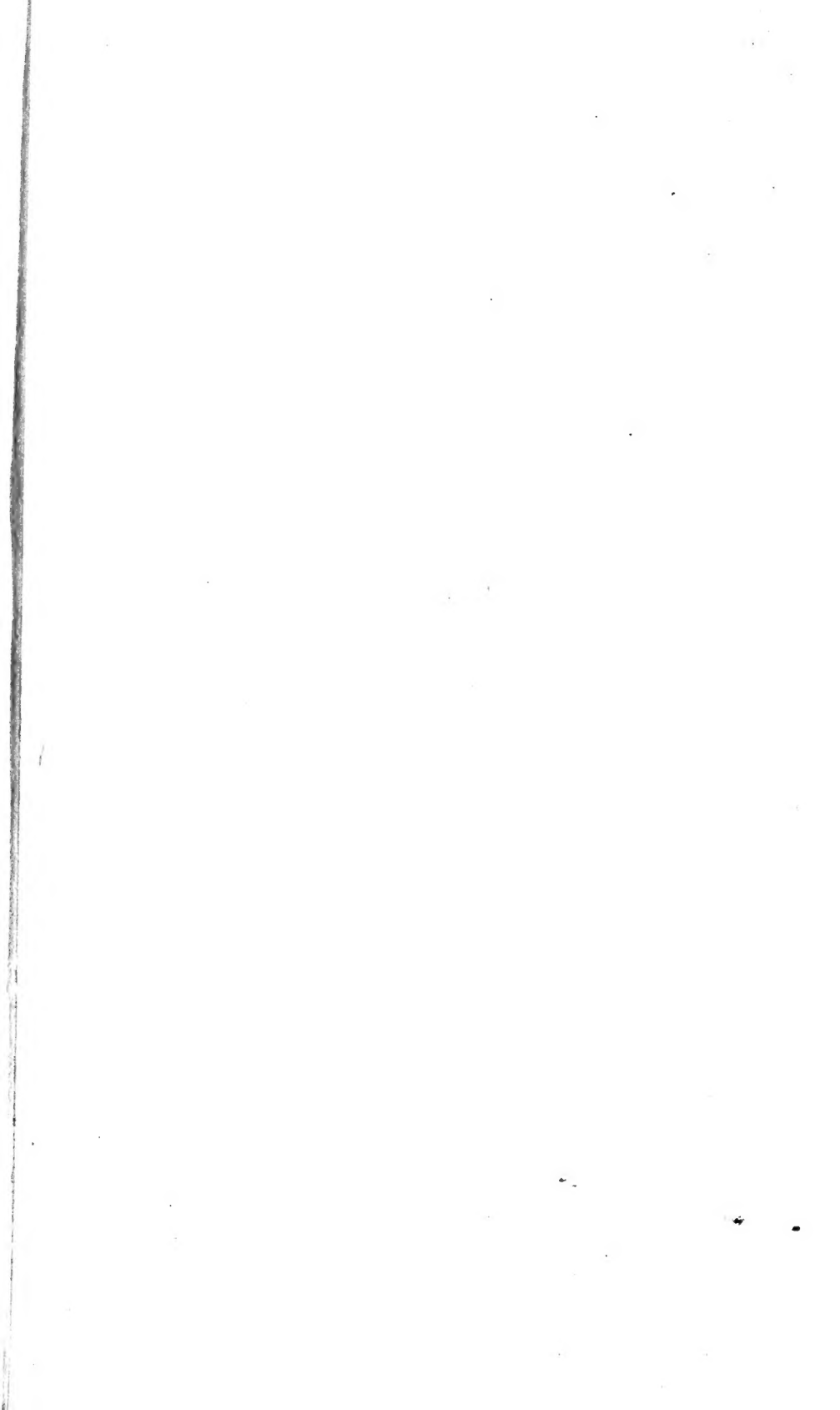
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**A CONSIDERATION OF
THE STATE OF IRELAND
IN THE NINETEENTH
CENTURY**



A CONSIDERATION OF THE STATE OF IRELAND IN THE NINETEENTH CENTURY

BY

G. LOCKER LAMPSON

"How is it that the King is none the richer for Ireland?"

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AUTHOR'S PREFACE

THERE is no gratitude in the world, which is a very lamentable consideration. Every man is born without his permission, and born graceless. A conclusive proof of the first is that men continue to be born, of the second that not half-a-dozen of them will thank the author for his trouble. To suppose such a thing provokes hilarity. And yet his book was written with a moral purpose. It is intended to gibbet the incompetence of Ireland's governors for five centuries, and, in suffusing British cheeks with shame, to evoke better intentions for the future. Its collateral object is to lay bare the secret of the repeated failures, the worm in the heart of the tree, the want of knowledge of Irish temperament and history, so conspicuous in the rulers of Erin. And yet hardly a man will feel indebted to the writer for these meritorious aspirations. Forty-two out of forty-two millions will possibly skim the pages. Twenty-two of these may be Milesians, who will condemn them, because issuing from a Saxon who is not a "Home Ruler." Fifteen of the other twenty will be bluff Britishers, who will vote them anti-English and lurch by on the other side. The remaining five may see that an intrinsic error lies curled up at the centre of Irish rule, and, if one of the five be destined some day to wield power sufficient to cure the disease, these leaves will not have been altogether stitched in vain.

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STATE OF IRELAND IN THE NINETEENTH CENTURY

CHAPTER I

BEFORE THE UNION; OR, THE SOWING OF THE SEED

"Ireland has the same reason to spurn at this power of external legislation, because it has hitherto been employed for the purpose only of oppressing and distressing her. Had Ireland never been made to feel this power as a curse, she never would have complained of it, and the best and most effectual way to have kept it alive, would have been not to have made use of it. Ireland would then have suffered this harmless power to exist in the statute book, she never would have called out for a renunciation of it. But, fatally for this country, this power of external legislation has been employed against Ireland as an instrument of oppression to establish an impolitic monopoly in trade; to enrich one country at the expense of the other. . . . Thus the supreme power of the British Parliament is employed to gratify a few, and to distress a whole kingdom."—CHARLES JAMES FOX, House of Commons, May 17, 1782.

LORD SHELburne¹ observes in one of his numerous Memoranda, and that statesman was no mean judge of Irish affairs—

"The history of Ireland may be read to considerable advantage, and more than the history of most countries, for as every other country had always more or less of a settled government, their history consists of little more than an account of sieges and battles, except now and then some civil wars; whereas the history of Ireland is in fact a history of the policy of England in regard to Ireland, and will be found to give the best idea of the principles, knowledge and passions which prevailed in each reign and characterized the times. It will be found to have always been the shame of England, as Sicily was of Rome, and is now of Naples, and Corsica was of Genoa."

That this is true, few persons who prefer truth to hypocrisy will be inclined to deny. The character of successive Administrations is undoubtedly to be found in their treatment of the Irish people, and a slight sketch of that treatment we now propose to offer.

The sixteenth and seventeenth centuries in Ireland were a

¹ William Petty, first Marquis of Lansdowne, better known as Lord Shelburne (1737-1805).

wilderness of crime, the cradle of the present Irish portent, the nursery of the weak and sickly child that has developed as men have seen, suckled in vice and dandled in infamy, to be finally gibbeted before the world as a spectacle of how fine and healthy an offspring may be reared under the tender solicitude and firm guidance of wise and honourable parents. We pass by the disgraceful confiscations of the lands of the O'Moores and the O'Connors in Leix and Offaley in the Bloody Mary's reign, by the war waged by Elizabeth against Shan O'Neil—the Shan O'Neil whom the Lord-Lieutenant did his best to poison when he feared to meet him in the field. We pass by the black treachery of Sidney—the massacre of Mullaghmast—where hundreds of the Irish chiefs were decoyed and slaughtered with the vilest cruelty, and we pass by the savagery of Essex and the wars against Desmond and Tyrone. 'The Irish were scared into rebellion by the conviction that they were doomed to be harried from their homes by the English settlers, and the suppression of Tyrone's insurrection was a veritable orgy of butchery and extermination, the slaughter of Irishmen being merely regarded as the necessary destruction of loathsome and plague-infected vermin.

The Irish, however, had but touched with their lips the rim of the chalice they were destined to exhaust. The result of Elizabeth's wars was the confiscation of the vast estates of Desmond, extending over the counties of Cork, Kerry, Limerick, Tipperary, and Waterford, and amounting to 295,379 acres. Soon after this spoliation Ulster and Leinster were planted by James I with English settlers, the proprietary rights of the clans being altogether disregarded, and great numbers of the old proprietors were driven from the land—2,836,837 acres in the former, and 450,000 acres in the latter province being wrested from their owners. A partial plantation of Ulster had already been attempted by Queen Elizabeth, but had not taken root. Conquest, however, had prepared the way for plunder and the new effort was more successful. Thomas Carte, in his *Life of Ormonde*, records the terms upon which the plantation of Ulster by James I was carried out, and his remarks are peculiarly interesting for two reasons. In the first place, the conditions laid down for observance by the new guarantees formed the source from which the Ulster "tenant-right" ultimately sprang; and secondly, the terms upon which the new owners settled upon their lands still hold good, and are a forcible argument for the substitution of a peasant proprietary, or a tenure very similar to it, in the place of that unsatisfactory system which embittered the relations between landlord and tenant throughout the nineteenth century.²

¹ See Appendix VI, quotation from W. E. H. Lecky.

² See Appendix VII, quotation from Thomas Carte.

There were three classes of new proprietors—104 English and Scotch undertakers or adventurers; 56 Irish servitors, that is, persons who had been previously engaged in the Irish service of the Crown, and 286 native Irish proprietors. Now after a certain lapse of time the original conditions imposed upon the grantees were felt to be a burden and were gradually overlooked. Proper government supervision was wanting, and the tenants themselves, scarcely able to keep body and soul together, were not strong enough to hold their landlords to the covenanted terms.

"It was in such a state of things," wrote Isaac Butt in 1867, "that the Ulster custom of tenant-right had its origin. These tenants held under terms which bound the landlords to give them fixity, in some instances perpetuity, of tenure. The landlord, while he was evading this obligation, could not venture, even if he were disposed, to interfere with their possession. They were somewhat in the condition of persons holding lands under what are termed accepted proposals, without a legal title, but with a claim in equity strong enough to prevent them from being disturbed. Matters continued in this unsettled state for years. In the troubles which soon after agitated Ulster as well as the rest of the kingdom, arising from the war which has been called 'the Great Rebellion'—it was scarcely to be expected that there should be any authoritative adjustment of these claims. During these troubles it was not probable that landlords would interfere with the tenants, upon whose fidelity they relied; and at the end of the Great Rebellion the tenants' claim for security for their holdings resulted in the establishment, in the case of the Protestant tenantry with an acquiescence on the part of the landlords, of that virtual fixity of tenure which has puzzled us in modern days under the name of the 'Ulster tenant-right.'"

James I did not confine his activity to Ulster; he made large grants in Longford, Westmeath, Kildare, and Wicklow, and in each case the conditions of the grants were similar to those imposed in Ulster. Sir John Davis even states that the properties in Munster were held on the same condition of giving fixity of tenure to the tenants. In the other settlements that have taken place in Ireland very similar terms were imposed upon the grantees, but the issue has been different, for in Ulster the tenantry belonged to the dominant class, and were accordingly treated with greater consideration, whilst in other parts of Ireland the landlords were able to entirely disregard the conditions of settlement, and in course of time to destroy almost every vestige of the original privileges accorded to their tenantry, who for the most part belonged to the oppressed and hated race of Catholics.

As a salve for this wound—the confiscation of Irish land and the plantation of Ulster—came the shameless treachery of the "Graces." The Irish gentry had consented to raise by voluntary assessment, as a grant to Charles I, the sum of £120,000 in three

annual instalments, in return for certain concessions or "Graces," from the King, which, considering their load of grievances, did not err on the side of extravagance. The most important of them were the limitation of Crown claims on real estate by an undisturbed possession of sixty years; the legalization of the Connaught titles by the enrolment of the patents of the inhabitants of that province; and the permission to Popish recusants to sue for livery of their estates in the Court of Arches without taking the oath of supremacy, and to practise in the Courts of Law. The Government, with the light of cunning shining in its eyes, accepted the Irish terms; the Royal promise was given, and the money paid over with ingenuous confidence by the passive gentry. But the latter little knew the veiled capacities of Stuart fraud. On the receipt of the sum, the dark and brooding Strafford,¹ who was sent to Ireland in 1633, withdrew without a blush the first two and most important "Graces," in direct violation of the King's word and to his own everlasting infamy. In the gloomy recesses of his fertile and daring brain he had planned the colonization of Connaught and the establishment of an army there, so as to enable Charles to become independent of his English Parliament and dictate his own terms to his subjects by means of a large force and revenue the other side of the Irish Channel. But his scheme, undoubtedly a great one, was indefinitely deferred, as the proposed colonization would certainly have lit a rebellion, and the rulers of Ireland had not the courage to face that conjuncture, although they were quite prepared to filch what they could without putting their necks in danger. Hundreds of titles were vested in the King, and Strafford, ambitious, bold and bad, finally left the shores of Ireland—left her seething with rage and burning for her revenge. The seeds of retribution had been flung broadcast over the land.

The Great Rebellion broke out in Ulster in 1641. Roger O'Moore,² an able man, had been the prime mover in the plot and succeeded in bringing together the Catholics of both races. The rising was a vast upheaval of an outraged people, a protest by despairing nature, and the result was in keeping with the treatment that had caused it.³ Sir Phelim O'Neil,⁴ the most prominent leader of the rising, did his utmost to keep it within moderate bounds, and published a proclamation from Dungannon in which he declared that his insurrection was in no wise directed

¹ Thomas Wentworth, first Earl of Strafford (1593-1641).

² Also known as Rory O'More (1620-1652).

³ Henry Hallam, the historian, says—"The primary causes of the rebellion are not to be found in the supineness or misconduct of the Lords-Justices, but in the two great sins of the English Government, in the penal laws as to religion, which pressed on almost the whole people, and in the systematic iniquity which despoiled them of their possessions."

⁴ Sir Phelim O'Neil (1604?-1653). Executed March 10 in Dublin.

against the King, or "for the hurt of any of his subjects, either of the English or Scotch nation; but only for the defence and liberty of ourselves and the Irish natives of this kingdom." But in spite of the knowledge of this declaration and a mass of other evidence that points to the same conclusion a vast perversion of facts has been indulged in regarding the rebellion, which would be unaccountable were it not a matter of common knowledge that bigots are not confined to Scotland and can rarely tell the truth. Thus it has been asserted that the rising was on the part of its leaders a concerted butchery from the first, and pseudo-historians have gravely argued as though the Irish had massacred without any provocation the helpless English, who passively fell, unconscious of any crime, like innocent sheep in a slaughter-house.¹

From the commencement of the rising the English Parliament strained every nerve to turn the struggle into a war of extermination. It enacted that no toleration of the Romish religion should be henceforth permitted in Ireland, and that two and a half million acres of profitable land, besides bogs, woods, and barren mountains, should be assigned to English adventurers in return for small sums of money which they raised for the subjugation of the country. The cruelties committed by the victorious party in this carnival of fury beggar description. Thus in the Island of Maggee thirty families were butchered in their beds by the garrison of Carrickfergus, and when Sir Henry Tichborne² drove O'Neil from Dundalk, the slaughter of the Irish was such that for some weeks after "there was neither man nor beast to be found in sixteen miles between the two towns of Drogheda and Dundalk; nor on the other side of Dundalk, in the county of Monaghan, nearer than Carrickmacross—a strong pile twelve miles distant." One of the items in Sir William Cole's³ catalogue of the services performed by his regiment in Ulster is exquisitely laconic—"Starved and famished of the vulgar sort, whose goods were seized on by this regiment, 7,000." Finally in 1648 a peace was negotiated between the Confederate Irish on the one side and Ormonde,⁴ the Lord-Lieutenant, and Henrietta Maria on the other, and a treaty signed early in 1649. But dissensions soon sprang up between the two parties; the Catholic oil and Protestant water would not mix, and when Cromwell arrived

¹ W. E. H. Lecky, who knew better, wrote—"I cannot undertake to pronounce upon the question, and shall be content if I have conveyed to the reader my own firm conviction that the common assertion that the rebellion of 1641 began with a general massacre of Protestants is entirely untrue, although, in the course of the long and savage struggle that ensued, great numbers of Englishmen were undoubtedly murdered. The number of the victims, however, though very great, has been enormously and often deliberately exaggerated."

² Sir Henry Tichborne (1581 ?-1667), Governor of Drogheda.

³ Sir William Cole (d. 1653), appointed Governor of Enniskillen on the outbreak of the rebellion.

⁴ James Butler, twelfth Earl and first Duke of Ormonde (1610-1688).

he found a divided camp. The barbarities of 1641 were followed by the bloody massacres at Drogheda and Wexford in 1649, and those in turn by the Cromwellian Settlement which was carried out by degrees from 1652 to 1654.¹

Under the Cromwellian Settlement all who had taken part in the rebellion before November 10, 1642, or who before that date had assisted the rebels in any way, as also about a hundred specified persons, were condemned to death and to the absolute forfeiture of their estates. All other landowners who had at any period borne arms against the Parliament, either for the rebels or the King, were to be deprived of their estates, but were promised land of a third of their value in Connaught. If, however, they had held a higher rank than major, they were to be banished from Ireland. Papists who had abstained throughout the war from bearing arms against the Parliament, but had not manifested a "constant good affection" towards it, were to be deprived of their lands, and to receive two-thirds of their value in Connaught. In this manner eleven million acres of Irish soil were dealt with and handed over to men who were expected to advance the "English Interest," whilst all the old proprietors belonging to the noblest and most respected families in Ireland were forced from their ancient homes, and driven to seek a strange asylum in Connaught, or some other place beyond the sea. The iniquity of this confiscation has never been forgotten in Ireland. The wrong is indelibly stamped upon the Irish heart, for men who were absolutely innocent of political or other offence were turned adrift, and all that was most respected in Ireland was made the subject of vulgar outrage.²

On the reinstatement of the monarchy Irish landed relations were again transformed. By the Act of Settlement of 1660 Charles II, on the advice of Clarendon,³ confirmed to the adventurers all those lands possessed by them on May 7, 1659, which had been allotted under the Cromwellian Settlement. With a few exceptions the lands granted to soldiers instead of pay were likewise confirmed, and officers who had served before June 5, 1649, but had not yet been given lands, were to receive them to the value of rather more than half of what was due to

¹ Henry Hallam says of the Cromwellian conquest—"After the King's person had fallen into their hands, the victorious party set themselves in earnest to effect the conquest of Ireland. This was achieved by Cromwell and his powerful army after several years, with such bloodshed and rigour, that, in the opinion of Lord Clarendon, the sufferings of that nation, from the outset of the rebellion, to its close, have never been surpassed but by those of the Jews in their destruction by Titus."

² As W. E. H. Lecky says—"A very large proportion of them had committed no crime whatever, and it is probable that not a sword would have been drawn in Ireland in rebellion if those who ruled it had suffered the natives to enjoy their lands and their religion in peace. The Cromwellian settlement is the foundation of that deep and lasting division between the proprietary and the tenants which is the chief cause of the political and social evils of Ireland."

³ Edward Hyde, Earl of Clarendon (1609-1674).

them. Protestants, however, whose estates had been handed over to adventurers or soldiers, were to be immediately restored, unless they had been in rebellion before the cessation of September 15, 1643, or had taken out decrees for lands in Connaught and Clare; and the adventurers or soldiers who were thus displaced were to receive compensation. The next class dealt with under the Settlement were those termed "Innocent Papists." No one was to be deemed an "Innocent Papist" who before the Cessation had been of the rebels' party; or who had enjoyed his estate real or personal in the rebels' quarters (with the exception of the inhabitants of Cork and Youghal, who were driven into these quarters by force); or entered into the Roman Catholic Confederacy before the Peace of 1648; or had at any time adhered to the Nuncio's party against the Sovereign; or inherited his property from those who were guilty of those crimes; or sat in any of the confederate assemblies or councils, or acted upon any commissions or powers derived from them. Thus, all Catholics who had in sheer despair risen in defence of the threatened existence of their religion, were excluded from the category of grace, although they might be and generally were entirely innocent of and unconnected with the crimes that were perpetrated in Ulster. The "Innocent Papists" who were able to establish their claim, and who had taken and still held lands in Connaught, were to be restored to their old estates by May 2, 1661; but those who had sold the Connaught lands were to satisfy the purchasers of their old estates for the price they had paid, and the necessary repairs and improvements they had made, whilst the adventurers and soldiers who were removed in this manner were to receive immediate compensation. If, however, the properties of "Innocent Papists" had been within corporations, and had consequently carried with them political weight, the old owners were not to be re-established in their possessions unless the King specially determined it, but to be compensated with land in the neighbourhood. The next class consisted of those who had taken part in the rebellion of 1641, but who had submitted and constantly adhered to the Peace of 1648. If these had remained at home and accepted lands in Connaught, they were to be bound by this arrangement, and not restored to their former properties. But if they had served under the King abroad, and sued out no decrees in Connaught or Clare in compensation for their former estates, they were to be restored, although this restitution was to be postponed until reprisals had been made for the adventurers and soldiers who had become possessed of their estates, and also until the other restitutions had been effected. In addition to these, thirty-six persons, who were perfectly innocent, or constant adherents to the peace, were restored at once by special favour.

The terms of the Act of Settlement very clearly indicated that the political influence of the adventurers and soldiers was in the ascendant, whilst that of the Catholics was virtually extinct. Nevertheless, the Protestants in Ireland were so discontented with the arrangement that the clouds of a fresh rebellion rolled up, and a Bill explanatory of the Act and consolatory to the tender susceptibilities of the Protestants had to be passed. The Act of Explanation provided that the adventurers and soldiers should give up a third of their grants to be applied to the purpose of increasing the fund for reprisals; that the Connaught purchasers should retain two-thirds of the lands they possessed in September 1663; that in all cases of competition between the Protestants and Roman Catholics every ambiguity should be interpreted in favour of the former; that twenty more of the Irish should be restored by special favour, and that all the other Catholics, whose claims had not hitherto, for want of time, been decided by the Commissioners, should be treated as disqualified. In this manner more than three thousand old proprietors were, without the benefit of a trial, without a word in their own defence, for no other reason than that of Protestant greed, excluded for ever from the inheritance of their fathers. The immense Cromwellian confiscations were confirmed, and by the time the cup of injustice was full it was estimated that the Protestants possessed four-fifths of the whole kingdom, whilst of the Protestant landowners in 1689 two-thirds are said to have held their estates under the Act of Settlement of 1660. But the shuffling of the cards was not yet complete.

At the end of 1687 Ireland was ripe for another struggle. Richard Talbot, Earl of Tyrconnel,¹ who had succeeded Clarendon² as Deputy that year, had denounced the Act of Settlement, and was apparently meditating another huge transfer of Irish land. In 1688 the Irish rose, and 100,000 levelled their pikes for the exiled James in spite of the memory of Stuart tyranny and the dishonesty of kings. In 1689 James II landed at Kinsale and summoned a Parliament, which met at Dublin on May 7 and sat until July 18, and in the Lower House of which there are reported to have been only half-a-dozen Protestant members. It immediately proceeded to repeal the Settlement of 1660, actuated as it was by the desire to re-establish the descendants of the old proprietors upon their ancestral lands. This was followed by James' impolitic and sweeping Act of Attainder, which practically aimed at another complete subversion of the existing Irish land system. A list of more than two thousand landowners was drawn up who were to be attainted of high treason, and whose estates were to be forfeited, unless they could prove

¹ (1630-1691), titular Duke of Tyrconnel.

² Henry Hyde, second Earl of Clarendon (1638-1709), eldest son of the first earl.

themselves to be innocent and appear for that purpose in their own defence. The whole proceeding was grossly unfair, for every member of the Parliament was encouraged to contribute the names of those of his neighbours whom he believed to be disloyal or happened to have a grudge against. The Act, however, was nipped in the bud, and the rickety fabric of Stuart legislation hurled to the ground in the general ruin of the Boyne and Aghrim.

The Treaty of Limerick followed in 1691, and Sarsfield's¹ heroes, kicking off the dust of their feet against Ireland's rulers, embarked for a foreign shore. But they tasted their revenge, for the Irish exiles of Limerick and their descendants took their part in defeating British troops at Stainkirk, Landen, Almanza, and Fontenoy. The violation of the Treaty was the next step, followed by a fresh shuffle of Irish estates. Under the Treaty of 1691 the Irish people had been granted freedom of worship, the use of their arms, the possession of their estates, and the right to sit in Parliament and vote at elections, as well as the right to practise law and medicine, and to engage in trade and commerce. Lord Sydney,² the Viceroy, had opposed the breach of a sacred pact and was driven out in consequence, but his successor, Capel,³ one of the Lords-Justices, had a tougher conscience more suited to his masters, and the violation was quietly carried out, the two other Lords-Justices, Wyche and Duncombe, who shared Sydney's scruples, being forced to retire. A so-called "Confirmation of the Treaty of Limerick" was, as a preliminary move to the premeditated breach, enacted in 1697, by which the first Article of the Treaty was omitted which secured the Catholics in the free exercise of their religion, and an alteration made in the second Article which practically cancelled it, the words which William had reinserted with his own hand being deliberately struck out. That portion of the Treaty was also excised which guaranteed to the Catholics "the use and practice of their several and respective trades and callings," and the 4th, 7th, 8th, 9th, and 10th Articles were rejected in a body. This, indeed, was an Irish "confirmation" with a vengeance. Not long afterwards, in 1699, a commission, which had been appointed by the English Parliament to inquire into the condition, extent, and value of the forfeited lands in Ireland, reported upon the result of its investigations, and as a result a Bill of Resumption was passed in April 1700, by which all the King's grants, with the exception of seven, were resumed, 391,412 acres being restored to their former owners, and 716,374 acres sold. This Act, we may well believe, drew iron tears down William's

¹ Patrick Sarsfield, titular Earl of Lucan, died of his wounds at Huy in 1693. His wife, who was the daughter of Lord Clanricarde, subsequently married the Duke of Berwick.

² Henry Sydney, Earl of Romney (1641-1704), appointed Lord-Lieutenant in March 1692.

³ Sir Henry Capel, created Lord Capel of Tewkesbury, 1691-2.

cheek, for by it Mrs. Villiers (Countess of Orkney) lost 95,000 acres, which this prim Protestant had bestowed upon her as the price of their unlawful amours.

The shuffling of Irish lands for the past hundred years had been such that a large part of Ireland had been confiscated two or three times in the course of a century. This was recognized by Lord Clare in the Irish House of Lords during the debate on the Union in 1800, when he said—

“The superficial contents of the island are calculated at 11,042,682 acres. The state of the forfeitures was as follows—In the reign of James I, the whole province of Ulster, 2,836,837 acres; Set out by the Court of Claims at the Restoration, 7,800,000 acres; Forfeitures of 1688, 1,060,792 acres: Total number of acres forfeited, 11,697,629. So that the whole of your island has been confiscated, with the exception of the estates of five or six families of English blood, some of whom had been attained in the reign of Henry VIII, but who recovered their possessions before Tyrone’s rebellion, and escaped the pillage of the republic inflicted by Cromwell, and no inconsiderable portion of the island has been confiscated twice, or perhaps thrice in the course of a century. The situation therefore of the Irish nation at the Revolution stands unparalleled in the history of the habitable world. . . . What then, was the situation of Ireland at the Revolution and what is it at this day? The whole power and property of the country have been conferred by successive monarchs of England upon the English Colony, composed of three sets of English adventurers, who poured into this country at the termination of three successive rebellions. Confiscation is their common title; and from their first settlement they have been hemmed in on every side by the old inhabitants of the island, brooding over their discontents in sullen indignation.”

Here is the answer to the Irish riddle in a nutshell. The Celt never forgets. He has a more enduring memory and more tenacious instincts than the Anglo-Saxon, and, until he is re-established upon the land on the terms that he believes he is entitled to, we shall have our Irish question and the disgrace that has attached to it.¹ The difficulty has been different to that experienced by most conquerors in history. Other countries have been overrun by strangers and lands confiscated, but the former inhabitants have generally either been exterminated or driven out, or the victors have settled down in their midst to rule them. In the case of Ireland the conquerors left the great majority of the inhabitants where they found them, and instead of settling among the conquered and attempting to govern, have resided in the original country of their birth as absentees; the only connection between the two parties being the rent drawn from the land. This is one of the primary

¹ The Land Act of 1903 has gone a great way towards effecting the necessary reform, and was passed after this passage was written.

reasons why Ireland has always been a discontented country, and why the old wounds have never properly healed.

We will now consider with a dispatch rendered congenial by natural aversion to the subject a few of those grievances under which the people of Ireland groaned, when the convulsions of rebellion and the rage of civil war had done their work ; wrongs that darkened nearly every poor threshold, and rankled in the breast of every sufferer who was not constitutionally a slave. We will discuss the Catholic Penal Code as a whole more particularly later on, and at present confine our view to the commercial restrictions, the Pension List, the abuses in the Established Church, the prohibition of intermarriages (a part of the Penal Code), and the agrarian system, which taken together form a suitable and sombre background to the picture of later Irish history.

Up to the time of the Restoration the free play of Irish industry was practically unimpeded by any legislative restriction, but after 1660 English landowners began to be alarmed lest Irish enterprise, backed by pluck and patriotism, should impair their State-fed monopolies and increase Irish power, and laws were passed in 1663, 1665 and 1680, which absolutely prohibited the importation from Ireland into England of all cattle, sheep and swine, of beef, pork, bacon and mutton, and even of butter and cheese.¹

▼ By the original Navigation Act of 1660 Irish vessels had enjoyed all the privileges accorded to English ones, but in 1663 Ireland was omitted from the amended Act, and thus deprived of the whole colonial trade. With a very few specified exceptions, no European articles could be imported into the English Colonies except from England, in ships built in England, and chiefly manned by English sailors. ▼ In 1670 this exclusion of Ireland was confirmed, and in 1696 it was further enacted that no goods of any kind could be imported directly into Ireland from the Colonies. ▼ But worse was to follow. After the Revolution the English wool manufacturers, trembling at the thought of what Irish energy and ability might do, petitioned with tears in their eyes for the total and instant destruction of that Irish industry which was their bugbear, and an accommodating Parliament was summoned in Dublin in 1698 for the express purpose of realizing their wish. ▼ Laws were passed imposing heavy additional duties upon the export of Irish woollen goods, sufficiently penal, it was hoped, to cripple all the advantages derived from a persistent and honourable labour. But their

¹ James Anthony Froude wrote of this legislation—

“The real motive for the suppression of agricultural improvement was the same as that which led to the suppression of manufactures—the detestable opinion that to govern Ireland conveniently, Ireland must be kept weak. The advisers of the Crown, with an infatuation which now appears like insanity, determined to keep closed the one remaining avenue by which Ireland could have recovered a gleam of prosperity.”

greed was not yet surfeited, and in spite of the warning voice of Molyneux¹ another Bill was carried in 1699 prohibiting the exportation of manufactured wool from Ireland to any other country whatever. Thus, as Jonathan Swift said, "the conveniency of ports and harbours which nature had bestowed so liberally on this kingdom, was of no more use to us than a beautiful prospect to a man shut up in a dungeon." These were the steps by which the English wool manufacturers were to clamber to the wealth of Dives, and down which the Irish Parliament was to slink, almost unconscious of its base servility, to its bribed and final extinction.² There was no need to put Bishop Berkeley's³ question—"What hindereth us Irishmen from exerting ourselves, using our hands and brains, doing something or other, man, woman, or child, like all the other inhabitants of God's earth?"

✓ The Irish Pension List was another measure of the moral worth of Irish rule. It was the shameful custom to quarter upon Irish poverty those bawds and bastards whom public opinion would have made it dangerous to provide for on the English Pension List. The Duke of St. Albans, one of the illegitimate spawn of Charles II, received an Irish pension of £800 a year; and Catherine Sedley, the concubine of James II, one of £5,000. Erengard Schulenburg, Duchess of Kendal, and Duchess of Munster in the Irish peerage, and the Countess of Darlington, the two concubines of George I, enjoyed Irish pensions of the united value of another £5,000; Lady Walsingham, the daughter of the former, had one of £1,500; Lady Howe, the daughter of the second, one of £500; and Madame Walmoden, one of the concubines of the second George, a pension of £3,000 a year; whilst there were many other such who battened upon Irish indigence, equally deserving, both on account of the high example of their private virtue, as well as the long and distinguished record of their public services. In fact, the Irish Pension List amounted in the first half of the eighteenth century to more than £30,000 a year, while the men who countenanced this gross and naked scandal were those righteous Solons who presumed to censure the conduct and to legislate for the morals of the Irish people.

✓ In regard to the Protestant Church in Ireland an impartial historian has given it as his opinion that, "the abuses of Church patronage from the time of the Restoration were probably unparalleled in Europe," nearly the whole of the extensive patronage being concentrated upon Englishmen, who were relations or followers of the leading officials, the parasites of the Castle, or

¹ William Molyneux (1656-1698), one of the representatives of Dublin University.

² Appendix VIII, quotations from Jonathan Swift, and from Cæsar Otway's report.

³ George Berkeley (1685-1753), Bishop of Cloyne.

"King-fishers" as they were called. Hacket, Bishop of Down, held that diocese for twenty years, during the whole of which time he never put his foot in it, faring sumptuously at Hammer-smith and maybe praying to his God there, but putting his benefices up for sale. Digby, Bishop of Elphin from 1691 to 1720, owed his promotion exclusively to his creditable skill in water-colour painting; whilst Pooley, Bishop of Raphoe, resided during the ten years from 1702 to 1712 barely eighteen months. These are not exceptions dragged in by the head and shoulders, but examples of what was the common state of the Church. The Protestant Establishment was looked upon as a well-kept preserve for the relations of great men, and the cure of souls no more entered into the consideration of these benefice-hunters than into that of any bookmaker upon a race-course.

Utinam nugis tota illa dedisset tempora sævitæ, but marriage was not forgotten in this catalogue of grace. By the penal code inter-marriages between Protestants and Roman Catholics were sternly and relentlessly repressed. The first statute on the subject in 1697 enacted that no Protestant woman, who either possessed or was heir to any form of real property, or who possessed real property to the value of £500, should marry a Papist, under penalty of losing her whole property, which passed at once to the nearest Protestant relation. Moreover, any clergyman or priest, who married such a woman without a certificate proving the Protestantism of her husband was liable to a year's imprisonment and a fine of £20. No Protestant man was to be permitted to marry without a certificate from the bishop or magistrate proving his bride to be a Protestant, under pain of being himself regarded as a Popish recusant, and disabled from being heir, executor, administrator, or guardian, from sitting in Parliament, and from holding any civil or military employment, unless he should, within a year after his marriage, procure a certificate to the effect that his wife had accepted the Protestant faith. In 1725 another law was passed to prevent clandestine inter-marriages, the celebration of which was to be punishable with death. By the Bills of 1743 and 1745¹ all marriages between

¹ Edmund Burke, in a letter of February 21, 1782, said of the Irish Protestant Parliament in connection with these later marriage laws—

"They set to work, but they were at a loss what to do; for they had already almost gone through every contrivance which could waste the vigour of their country; but, after much struggle they produced a child of their old age, the shocking and unnatural Act about marriages, which tended to finish the scheme for making the people not only two distinct parties for ever, but keeping them as two distinct species in the same land. Mr. Gardiner's humanity was shocked at it, as one of the worst parts of that truly barbarous system, if one could well settle the preference, where almost all the parts were outrages on the rights of humanity and the laws of nature."

The eloquence of Burke is the least part of him, and yet is he not the supremest orator that these islands have produced of whose speeches we have any authentic record? His delivery is said to have been bad, his taste was certainly not infallible, his tropes may have been too abundant, and his judgment was at times perverted by

Protestants and Catholics, or between two Protestants, celebrated either by a priest or a degraded clergyman, were to be held null and void, and a further law enacted that those who celebrated them were liable to the penalty of death.

Even amid this economy of prescription and ingenious malice the agrarian system was notoriously bad, perhaps the worst agrarian system the world has ever seen. Planted like strangers upon a foreign soil, the whole idea of the average Irish landlord was to squeeze his rent out of the tenants and to spend it anywhere but on the land. What improvements were made upon the holdings were effected by the tenants, and the whole system of relations between landlord and occupier was unknown the other side of the Irish Channel. Swift asserted that at least one-third of the rent of the country was spent in England. Prior, in 1730, calculated the rental spent by absentees in England at about £620,000; and another list, drawn up in 1769, placed it at £1,200,000; whilst Arthur Young, ten years later, estimated the rents alone of the absentees at about £732,000. This abuse led to the institution of the middleman, and that again to rack-rents, half-clad starving cottiers, and all the horrors of agrarian outrage.¹

It would be an easy task to quote a hundred authors, not Irishmen, who have described the terrible condition of the Irish peasants at this time; but it would be trouble thrown away, for the truth of their statements is a matter of common knowledge, and to urge it would be to labour the argument that black is not white. In addition to this state of serfdom the growth of pasture formed another grievance, for pasture-land had been made tithe-free by an Act of the Irish Parliament in 1735, and thus all the

his passion. But with all this he is our foremost orator, and this is the least part of Burke. He is also our greatest writer of English prose, our profoundest political philosopher, and, since Cromwell's time, the most prescient and comprehensive statesman that has adorned the Legislature. We will go further—Macaulay declared that he was altogether the greatest man since Milton's time; in the year 1903 we agree with him. What makes him so eminent as an orator is his consummate style, his incomparable mastery of his mother-tongue, his inexhaustible stores of language, his unrivalled lucidity, his broad logic, and manly common-sense. He is the least barren of all orators. One idea gives birth to a stream of others, and so vast is his knowledge and so teeming his imagination, that, compressed as his speeches had to be within the limits of Parliamentary debate, every sentence is loaded like a page of Shakespeare with sympathy and wisdom and philosophic truth. You cannot read Burke's speeches without feeling that you are in the presence of a grand and capacious intellect, and appreciating the immeasurable inferiority of all other political discourses in our language. No man but Burke could have constructed the oration on the Nabob of Arcot's debts. The colossal labour of its preparation, the irresistible force of its pitiless indictment, the poetry and splendour of many of its passages, the noble moral strain that illumines the whole constitute it one of the greatest forensic efforts of all time. But the rhetoric of Burke was the least part of him. His works were published in nine volumes, we would they had been published in twenty.

¹ Appendix IX, quotations from Jonathan Swift, the author of *Letters from an Armenian in Ireland to his friends at Trebizonde*, and a tourist in Ireland in 1764.

burden of the impost had to be borne by land under tillage, and, therefore, by the poorer classes, the great and wealthy graziers escaping from a tribute which they alone could afford to pay. Thus ground down, it was wonderful that any peasants were left upon the land at all, or that the whole nation did not rise against a minority that brought in its train a curse like one of the plagues of Egypt.¹

The middleman, or the "tornybeg," as the Irish used to call him, was the natural result of absenteeism and one of the worst scourges of the agrarian system. The pestilence was of two kinds—those men who leased lands from the owner of the soil for the express and only purpose of collecting rents from the occupying tenants; and others, who having originally farmed their holdings, sub-divided and sub-let them to a multitude of smaller occupiers. The first description were mere farmers of rents who sprang into existence by reason of those absentee landlords who, desirous of enjoying their rents without the trouble of collecting them, transferred the labour and profit of the collection to a third person for a certain fixed sum. They were the result of a radically unsound system, the swollen flies that gorged themselves upon the rotting carcass, and which in a sound and stable social economy would never have existed at all. A further oppression under which the Irish tenant groaned was what was known as the "duty days." In addition to his rent, every tenant was bound by his lease to work a certain number of days in the year free of charge for his landlord, and in the larger farms the tenants had even to supply horse labour as well. The tenants, moreover, were frequently compelled to exceed the stipulated number of days, and a miserably small wage was usually given to them in consideration of this extension. As might have been expected, the days upon which their labour was in particular requisition were generally in that season of the year when labour upon their own farms was imperative; so that not only had they often to give their labour to their landlord in return for no payment whatever, but to see their crops at the same time deteriorating in consequence before their eyes. Hunger and starvation, therefore, stared them in the face at every turn. They had their God, it is true, at least in their imagination, and pathetically clamoured to Him; but, like the deity of those men who slashed themselves with knives, He was plunged in sleep and there was none to help them.²

These manifold and cruel sufferings soon led by the broad and easy path of human nature to retaliatory outrages on the part of the victims. The practice of houghing made its appearance

¹ Appendix X, quotations from Lord Chesterfield and Arthur Young.

² Appendix XI, quotations from Arthur Young, Sir George Cornewall Lewis, and William Paley.

in the early part of 1711 in Galway. The immediate causes that produced it were the increase of pasture land which restricted more and more the means of the people's subsistence, and the plantation in their midst of a new tenantry from the plains, who raised the price of land, outraged the clan spirit, and steadily drove the natives to the mountains. Hundreds of cattle perished in this manner by the hands of the houghers, who prowled about at night in organized bands and transformed many well-stocked districts into reeking slaughter-yards. Ireland thus groaned under an accumulation of sorrows and was expected by the violators of the Treaty of Limerick to bear her cross without a cry.¹

It is not to be marvelled at that emigration should have followed in the wake of Irish distress. The rulers of Ireland had gradually beaten the wretched country down, emptied her savings with a callous indifference into the laps of harlots, and strangled her young industry to feed the avarice of huckstering tradesmen at home. It is not at all to be wondered at that impotent discontent was left to keep house.

In 1719 occurred the celebrated case of *Sherlock versus Annesley*. The cause was tried in the Irish Court of Exchequer between Esther Sherlock and Maurice Annesley, and the decree which the latter obtained was reversed on an appeal to the Irish House of Lords. Annesley thereupon appealed to the English House of Lords, who confirmed the judgment of the Irish Exchequer and ordered Annesley to be put in possession of the disputed property. Upon this Esther Sherlock petitioned the Irish Lords against the intervention of the English House of Lords, and the Irish Upper House resolved to support their privileges by giving effectual relief to the petition. Sherlock was therefore put in possession by the Sheriff of Kildare; and when an injunction soon afterwards issued from the Court of Exchequer in Ireland directing him to restore Annesley, the

¹ Lecky says—

"It would be difficult in the whole compass of history to find another instance in which such various and powerful agencies concurred to degrade the character and to blast the prosperity of a nation. That the greater part of them sprang directly from the corrupt and selfish government of England is incontestable. No country ever exercised a more complete control over the destinies of another than did England over those of Ireland for three-quarters of a century after the Revolution. No serious resistance of any kind was attempted. The nation was as passive as clay in the hands of the potter, and it is a circumstance of peculiar aggravation that a large part of the legislation was a distinct violation of a solemn treaty. The commercial legislation which ruined Irish industry, the confiscation of Irish land which disorganized the whole social condition of the country, the scandalous misapplication of patronage which at once impoverished and demoralized the nation were all directly due to the English Government and the English Parliament. The blame of the atrocious penal laws rests, it is true, primarily and principally on the Parliament of Ireland, but it must not be forgotten that this Parliament, by its constitution and composition, was almost wholly subservient to English influence, and that it was the English Act of 1691 which, by banishing Catholics from its walls, rendered it exclusively sectarian."

Sheriff roundly refused compliance. In this refusal to obey he was supported by the Irish Lords, who addressed the Throne in support of their rights; but the English House reaffirmed its proceedings, and an Act was passed in the English Parliament in 1719 enacting and declaring that the King, with the advice of the Lords and Commons of England, "hath had of right, and ought to have, full power and authority to make laws and statutes of different force and validity to bind the people and the Kingdom of Ireland. And be it further enacted and declared, by the authority aforesaid, that the House of Lords of Ireland have not, nor of right ought to have, any jurisdiction to judge, affirm, or reverse any judgment, sentence, or decree, given or made in any court within the same kingdom; and that all proceedings before the said House of Lords, upon any such judgment, sentence, or decree, are, and are hereby declared to be, utterly null and void, to all intents and purposes whatever." In this manner originated the famous Act, the 6th of George I, which asserted for the first time various rights that had not been included in Poyning's Law.

Between 1724 and 1764 Primate Boulter,¹ who occupied the See of Armagh from 1724 to 1738, and then Primate Stone, known as the "Beauty of Holiness," practically managed Ireland in the King's interest—the one an incurable bigot, and the other a salacious and scented reprobate, accused, among other offences, by those who had every opportunity of judging, of indescribable crimes. In 1720 Swift published his *Drapier Letters*, and for the next few years roused the Irish people with a pen of fire to a sense of their potential power, and with a genius unsurpassed in literature for its bitter intensity kept alight the flame of national spirit and blasted with ridicule the plausibilities and specious reasonings from across the Channel.

In 1729 there occurred a horrible famine, and in 1741 another. The Irish fell like autumn leaves, and were cared for as little. During this last visitation Charles Lucas² lit again the candle that had gone out with Swift's life, and in his *Citizen Journal* tried with a feebler flame to inspire the Irish with courage and with hope. In 1742 Primate Boulter died and entered Paradise, and was succeeded in the Primacy of the Irish Church for a short time by Hoadly,³ and soon afterwards by George Stone,⁴ Bishop of Derry. In 1745 Chesterfield⁵ was

¹ Hugh Boulter (1672-1742). Dr. Johnson speaks well of him in his *Life of Ambrose Philips*; but then they were both tarred with the brush of intolerance.

² Charles Lucas died in 1771. The first number of his *Freeman's Journal* appeared in 1763.

³ John Hoadly (1678-1746).

⁴ George Stone, Earl of Bristol and Bishop of Derry, was the son of Lord Hervey the memoir-writer. He fell into the hands of the French in 1799, and was imprisoned at Milan for eighteen months. He died in Rome in 1803.

⁵ Philip Dormer Stanhope, fourth Earl of Chesterfield (1694-1773), the celebrated letter-writer, who wisely counselled his son how not to carve a fowl with a lady seated on his right hand. In spite of this, the son turned out a very stupid fellow.

appointed Lord-Lieutenant, and in accordance with his policy of conciliation the penal code was somewhat relaxed; the laws for a while were not enforced, and evasion of them was connived at. Not one of them, however, was repealed; and as Burke with characteristic felicity of expression said, "connivance was the relaxation of slavery, not the definition of liberty." On Chesterfield's recall the old policy was renewed with greater ardour than before, and the old despair, intensified by reaction, was roused once more in the Irish heart.

In 1751 the Irish Parliament, instead of being permitted to act upon their own initiative without interference from outside, was forced to submit to the "consent" of the Crown to the appropriation of their surplus revenue to the discharge of the debt. The question arose again in 1753, and a quarrel took place in consequence between Archbishop Stone and several chiefs of the leading Irish families. The "Irish Interest" insisted, and with some ground, that it had a right to appropriate a surplus of national money without reference to the Crown for its consent, and came into conflict with the men in power, who were represented by Stone. The Government, backed by all the authority of placemen, triumphed in the end, for on Parliament declining to appropriate the money with the consent of the Crown, the whole surplus revenue was taken out of the Treasury without its consent by means of a Royal letter, and appropriated in the manner which had been originally intended. But from this time forward the Opposition, with Anthony Malone¹ as its real leader, was a force to be reckoned with in the Irish Parliament.

In 1759 Admiral Conflans set out with a few ships on his expedition to Ireland, but he had the ill-luck to fall in with Hawke on the way and was entirely defeated. In 1760 Thurot, the celebrated French privateer, who had been co-operating with Conflans, made a similar attempt, and entered Lough Foyle in February with only three out of the five vessels he had started with. After taking Carrickfergus, and spreading considerable alarm amongst the neighbouring towns and villages, he re-embarked, but he too encountered some English ships on his way back, and being outnumbered was beaten and killed.

We will now record in rapid and unconnected succession the chief political events in Ireland, exclusive of those connected with Catholic Relief, between the years 1760 and 1782.

The Whiteboy rising, which Lord Chesterfield, the former Lord-Lieutenant, ascribed in one of his letters "to the sentiment in every human breast that asserts man's natural rights to liberty and good usage, and which will and ought to rebel when provoked to a certain degree," occurred in 1761, and smouldered

¹ Anthony Malone (1700-1776).

through a decade.¹ The members of the society were first of all called "Levellers" in Tipperary from their practice of *levelling* the fences of newly-enclosed waste land, and derived their later name in Munster from the white shirts which they usually wore over their clothes during their midnight raids. The real cause of the disorder, which was the first outbreak of agrarian outrage of which we have any distinct notice in Irish history, was the increase of pasture and the consequent diminution of tillage land, the evictions that followed, and the enclosing of those common lands, which the Irish peasants had from an immemorial time looked upon as inviolable. The increase of pasture land was due partly to a murrain among cattle, which had spread over the Continent and over England, but had spared Ireland, and thus encouraged landlords to undertake cattle farming in the hope of large profits. Halifax,² the Lord-Lieutenant, stated to a commission appointed to inquire into the causes of the rising—"I know that it is impossible for human wretchedness to exceed that of the miserable peasantry in the province of Munster. I know that the unhappy tenantry are ground to powder by relentless landlords. Far from being able to pay tithes, they have neither food nor raiment for themselves."

¶ The lot, indeed, of the Irish peasant at this time might have drawn pity from a stone. He was regarded as belonging to an inferior race of men. He was treated as a serf, for a serf he was, although a very little lower than the angels. His religion was insulted, the filth and destitution of his appearance were a matter for astonishment to every man who visited the country, and his spirit was well-nigh broken by years of unrelenting tyranny. He was rack-rented and loaded with tithe dues. The relaxations of life were even forbidden him lest solace should dip her finger in his gall. He could indulge in no amusements on Sunday, such as hurling or football, on pain of a shilling fine or two hours in the stocks, although upon his own saints' days he was compelled to work, or pay a fine of 2s., in default of which he was subjected to a whipping. If he was found with a switch in his hand or a common walking-stick, a fine of 10s. was the penalty, or, in default, a month's imprisonment or the ignominy of a whipping. Any poor woman who engaged herself as a nurse, knowing herself to be with child, or continued to nurse a child under those circumstances without informing the parents, or who had any foul or infectious disease, was condemned to forfeit her wages, suffer three months' hard labour, and be

¹ The Whiteboys had almost ceased to disturb Munster by 1770, but re-appeared in the county of Kildare and the Queen's County in 1775, and continued to terrorize until 1785, when they spread to the southern districts once more. The Munster and Kilkenny insurgents of 1785 and the following years were known generally as the Right-boys, and directed their energies more particularly against the clergy.

² George Montagu Dunk, second Earl of Halifax (1716-1771).

publicly whipped on some market-day, between the hours of eleven and twelve in the morning, through the streets of the town where the house of correction stood; "provided"—and the considerate tenderness of this proviso is truly affecting—"that no nurse who is with child shall be whipped for offending this law till two months after her delivery."¹

The Irish landlords, anxious for any excuse to light the torch of religious persecution, attempted first of all to persuade the Government that the Whiteboy movement was a Popish plot, but Halifax, the Viceroy, suspicious of their zeal in reporting this discovery, made conscientious inquiries into the matter, and having collected a mass of evidence from every quarter reported very differently. On the 17th of April, 1762, he wrote to Lord Egremont—

"Protestants as well as Papists have been concerned in these tumults—one or two of the most considerable of those we have hitherto detected are Protestants; these outrages have fallen indiscriminately on persons of both persuasions, and I cannot yet find that any matter of state or religion has been mentioned at their meetings."

Sir Robert Aston, the Chief Justice of the Common Pleas, who had been selected to try the Whiteboy prisoners, made a similar declaration—

"In some instances their (the Whiteboys') resentment proceeded against particular persons for their having taken mills or bargains over the head of another . . . and turning out, by a consent to an advanced price, the old tenant. In the perpetration of the disorders (however industriously the contrary has been promoted), Papists and Protestants were promiscuously concerned, and, in my opinion, the majority of the former is with more justice to be attributed to the odds of number in the country, than the influence arising from the difference of principles."

Indeed the "odds of number" might have accounted for a good deal, considering that the Catholics formed five-sixths of the whole population. In order to crush these disturbances, a Coercion Act was passed making all persons who went about at night in parties of more than four, assaulting any one, administering illegal oaths, or injuring property, liable to the punishment of death. Grand juries, moreover, were empowered to levy a fine on the inhabitants of a district where a crime was committed, and magistrates were given the right to summon and examine suspected persons, and to send to gaol for six months those who

¹ Appendix XIA, quotation from Arthur Young.

refused to appear. Special commissions were also issued to try Whiteboy offenders; and a yeomanry corps was enrolled by the rich inhabitants for the purpose of hunting down the insurgents. In fact, Lord Charlemont declared that the hunting of Whiteboys became a fashionable pastime, and that he had himself heard Lord Carrick exclaim with rapture, "I have blooded my young dog; I have fleshed my bloodhound," alluding to a successful chase after these miserable wretches, in which his son with hereditary sporting instincts had taken part.

The Oakboy¹ movement took place in Ulster in 1763, the name being derived from the oak-twigs which the members of the League were accustomed to wear in their hats during their raids. It was an exclusively Protestant agitation, which springing up originally in the county of Armagh, spread afterwards to those of Tyrone, Fermanagh, and Derry, and originated in the grievance of work upon the roads, to which every householder had to contribute under a system of local taxation administered under the laws known as the Grand Jury Laws. Another object of the insurgents was to deprive the clergy of a portion of their tithe, as well as to regulate the price of land, especially of peat-bogs.² But this rising was less determined than that of the Whiteboys, and was crushed in a few weeks.

In 1772 occurred the rising in Ulster of the Presbyterian "Hearts of Steel" or "Steelboys," caused by the evictions on the estates of Lord Donegal, an absentee landlord, and a certain Mr. Upton. Lord Donegal, who found London an expensive town, suddenly discovered that he was in need of £100,000, and refused to renew the leases which were expiring without a compensatory fine. The tenants rose first of all in Antrim against this hardship, but they rose in vain. Many of them were shot down like rabbits, and the rising which had spread over a great part of Ulster was ultimately suppressed, a large number of the outcasts flying to America rather than starve in their native land.³

¹ Dr. Campbell gives the year 1764; but Francis Hardy, in his *Life of Lord Charlemont*, as well as James Alexander Gordon in his *History of Ireland*, gives the date of the rising of the Oakboys as 1763.

² Hardy in his *Life of Lord Charlemont* says of them—

"It is to be observed, that though they talked much, though they insulted several gentlemen, erected gallowses, and menaced ineffable perdition to all their enemies, no violent cruelty was exercised, as Lord Charlemont said, nor was a single life lost, or any person maimed, in the county of Armagh; a species of conduct totally opposite to that of the southern insurgents, but which his lordship ascribed, not to any diversity of religion, but to the oppression under which the unfortunate creatures in the south laboured. 'A rebellion of slaves' (continued he) 'is always more bloody than an insurrection of freemen.'"

³ Froude, speaking of these Antrim evictions, wrote—

"In the two years which followed the Antrim evictions 30,000 evicted Protestants left Ulster for a land where there were no legal robbers, and where those who sowed the seed could reap the harvest."

In the end, however, Lord Donegal had to renew his leases without the fines on account of the wave of popular indignation which spread over Ulster in favour of the Protestant tenants, and no Ulster landlord dared for some considerable time to attempt on a large scale a similar encroachment of the "tenant-right." Although the Donegal evictions were dragged into peculiar notoriety by the action of the "Hearts of Steel," the occurrence had not been isolated. Almost every day something of the sort had taken place, prompted by the same greed and accompanied by the same indifference to the feelings of powerless poverty. Every day some starving peasant prayed to his God to mercifully release him from the weariness of living. For what must have been the state of the peasantry, when to draw breath was to court destruction ; when the necessities of life and the bare comforts of existence had to be hidden from the rapacity of rent squeezers, whose maws craved not merely for the superfluities of the poor man's profits, but for his crust of bread ? ¹

In this state of affairs outrage might well have been expected to be chronic, and it was. In 1775 a fresh Whiteboy rising took place, and the disorder raged with such violence in Kildare, Kilkenny, and Queen's Counties that a special Act was passed for its suppression. The insurgents maltreated various Protestant clergy and Catholic priests who had attempted to quell the rioters and dared to denounce the agitation, and a Distress Bill was introduced in 1786 for their protection. But the measure was rejected in the Irish House of Commons through the influence of the landlords, who did not like the proposal contained in it to levy a fine on the land of the parishes where terrorism had been practised. In fact, not only did the landlords neglect to insure the safety of the dignitaries of their own Church, but there is every reason to suppose that they looked with favour upon the rioting and actually encouraged it secretly for their own dishonourable ends.² The Whiteboy movement of 1775 continued for ten years until 1785, when it subsided only to reappear in Munster as the insurrection of the "Rightboys," who directed their illegal energies with particular animosity against the clergy, who fled in terror from them into the towns. In 1788 these disturbances had gradually grown weaker, and were soon afterwards suppressed.

¶ We will now glance for a moment at the machinery of the Irish Legislature, which was a body constituted on different lines from the one that sat at Westminster. Instead of the King, Lords, and Commons, it was composed of five different parts—King, Lords, Commons, and the English and Irish Privy

¹ Appendix XIb, quotations from Townshend, Lord Charlemont, and Dr. Campbell.

² Appendix XIc, extract from speech by Fitzgibbon.

Councils. The Irish Privy Council, in which the English interest of course largely predominated, prepared measures for Parliament in the form of heads of Bills, which were laid before the Irish House of Commons, debated, and, if approved of, sent to the Lords. If the latter agreed to them, the Draft Bill was sent to the English Privy Council, who might amend it, or "cushion" it—that is to say, not return it, at its will. On the return of a Bill, the Irish Parliament might pass or reject it as it stood, but could not amend it. The Irish Privy Council, however, might cushion the heads of a Bill, even after they had been approved by both Irish Houses of Parliament. Private members, too, might originate the heads of a Bill; but the Irish House of Commons claimed the sole right of originating money Bills—a right obstinately contested by the English Ministry. By 1761 the Irish Parliament had gradually obtained the privilege of originating heads of Bills, except in the case of the summoning of a new Parliament, when the Irish Privy Council resumed the right, two or more Bills being then sent over to England as a cause for the summoning, and it being customary for one of these Bills to be a Bill of Supply. On the accession of George III the Irish Lords-Justices attempted to secure the privilege of originating money Bills, and a Bill of that description coming down as usual from the Executive Government was rejected on the ground of privilege; but they failed in their endeavour, as might have been expected, and Walsingham's motion in favour of the innovation, although supported by Grenville and Burke, was defeated by a large majority in the English House of Commons.

In 1767 the Irish made an attempt to secure a Septennial Act for the purpose of abridging the duration of their Parliaments and the power consequently of any administration who might get the reins of government into its hands and be loath to part with them. Dr. Lucas, who had failed in a former attempt in 1761, succeeded in passing a Septennial Bill through both Houses, but it was rejected by the English Privy Council. A second and similar Bill was passed the same year, and with the view of throwing the responsibility of rejecting it upon the Irish Parliament was changed by the English Privy Council into an Octennial Bill. The Irish Parliament, however, accepted the amended measure, and passed it in 1768. It was also in 1767 that the Judges Bill was introduced in the Irish Parliament. Townshend¹ had just been appointed Lord-Lieutenant, and as he was in favour of the irremovability of the judges, a Bill was brought into the Irish Parliament to that effect. It passed through the preliminary stages there, and was sent over to

¹ George Townshend, fourth Viscount and first Marquis Townshend.

England, but was so altered by the English Privy Council that on its return the Irish Parliament rejected it, and the reform was not effected till 1782. In 1768 an Army Augmentation Bill was introduced, but rejected. It was a very unpopular proposal in Ireland, as a large increase of expenditure would necessarily have been entailed, and the "Undertakers," who were the great borough owners, and had been originally so nick-named because they "undertook" to carry the King's business through the Irish Parliament, opposed it.

In 1769 a money Bill, which had been originated by the Irish Privy Council, was through the influence of the "Undertakers" rejected by the first Octennial Parliament by a majority of twenty-three on the ground that it did not take its rise in that House, whilst at the same time the latter, to prove its loyalty, voted large supplies to the Crown. Upon this Townshend pro-rogued the Parliament, and with a profound knowledge of human nature began to bribe. In 1770 he purchased a majority at a price which Fitzgibbon¹ twenty years later admitted to have been upwards of half-a-million sterling, in order to counteract the power of the "Undertakers," but in vain, for, when another altered money Bill was introduced in 1771, it was rejected on the motion of Flood without a division. Townshend then tried to augment his Parliamentary influence by increasing the Commissioners of Revenue, who had seats in the Irish Commons, from seven to twelve, and by other methods of Court persuasion not unknown in the history of Dublin Castle.² But the scandal created by this unvarnished jobbery was too gross even for the Irish Parliament, and brought down a vote of censure upon his head, which necessitated his recall in 1772. The next year, however, a proposed absentee tax was defeated in the Irish Parliament by the same corrupt means, eighteen peerages being created in a single day; which proved that the political market, in spite of the previous outcry, had never been closed in reality. While Townshend was bribing placemen, and corrupt placemen were bargaining for bribes, there appeared in Dublin a series of political squibs under the title of "Baratariana." "Baratariana" consisted of a history of "Barataria," which was in reality a sketch of the Viceroy's administration, and contained a number of letters which mercilessly probed the vulnerable parts of Townshend's Government, together with three or four poetical satires. The history and poems were written by Sir Hercules Langrishe,³ the friend of Burke, the dedication and the letters signed

¹ John Fitzgibbon, Earl of Clare, Lord Chancellor of Ireland.

² In the letter to the Duke of Grafton on the 27th of November, 1771, Junius wrote—"I beg you will convey to our gracious master my humble congratulations upon the glorious success of peerages and pensions, so lavishly distributed as the rewards of Irish virtue."

³ Sir Hercules Langrishe (1738-1811).

"Posthumous" and "Pertinax" by Grattan, and those signed "Syndercombe" by Flood. These writings created an immense sensation, and lit up the sharp practices of the Castle with a fierce and damaging light.

Not until the rulers of Ireland had been coerced at Saratoga into the generosity of fear, did Irish trade experience a slight measure of relief; a relaxation which it deserved, for it had had, as we have seen, a chequered and obstructed career. In 1705 the Irish had been allowed, as a sort of compensation for the annihilation of their woollen trade, to export their white and brown linens, and these only to the English Colonies, but not to bring back any colonial produce in return. This unwonted charity, however, was intended for the Protestants; for the linen trade had been practically founded by the French Protestant refugees, and was chiefly carried on in the Protestant portion of the island. In fact, the preamble of the Act of 1705 runs—"Forasmuch as the Protestant interest of Ireland ought to be supported by giving the utmost encouragement to the linen manufacturers of that kingdom, with due regard to Her Majesty's Protestant subjects of her said kingdom, be it enacted, etc." With these restrictions it was not likely that Ireland would become very rich. Wherever she turned, up rose the obstacle of commercial consternation on the part of Ireland's rulers. It would have been ludicrous, had it not been revolting in its mean and shameless avarice, the monotonous wail of these money-scrappers, whenever a little Irish industry showed its head. But Jonathan Swift¹ had now seized his pen, and continued for many years to fight with unrivalled genius in the cause of Irish reform. In 1720 he published his "Proposal for the universal use of Irish manufacture," in which he urged the Irish people to abstain from importation, and to use Irish products, until the restrictions upon Irish trade had been removed.²

Four years later Wood's Half-pence appeared, followed by the celebrated *Drapier's Letters*, and never was fraud more successfully gibbeted in the pages of a great writer. He roused Ireland to a sense of her own strength, and tore from the face of humbug

¹ Swift was born in Dublin in 1667, and died in 1747, being buried in his own cathedral.

Who shall take the measure of his genius, who has not himself felt sometime the inward gnawings of that savage spirit? He stands alone in English literature; indeed there is nothing resembling his style in all the domain of letters. Gall was his ink, and wormwood his paper, and the exceeding bitterness of his own soul guided the hand that held the pen. His terrible wit fell like a blight upon the abuses of his age. They were so strong and green in the early morning, so luxuriant and unabashed and comely, and in the evening they were black and rotten, such a heap of stenching refuse that no man could stand the wind of them. Is not this power?—and this was the power of Swift. His *sæva indignatis* died with him. The world had never seen the like of it before, and will probably never witness it again.

² Appendix XIX, quotation from Jonathan Swift.

its thin veil of plausible respectability. The violators of the Treaty of Limerick winced, but had to pocket the affront, and no more contracts were sold by King's drabs to corrupt patentees to coin base money for the people of Ireland.¹

The *Drapier Letters* and those less known that we have quoted from in the Appendices, demolished Wood, disconcerted the impudence of his patrons, and kindled a flame in Ireland that all the buckets at the Castle failed to put out. But many years passed before Ireland obtained a really effective reform. There were a number of ardent spirits who worked for her, but the strength of the nation was unorganized; her energies were debilitated from want of use, and the power of monopoly was too strong for any isolated breath to thaw the ice and frost of indifference, and worse than indifference, that bound the Parliament and its rulers. At length on October 11, 1775, Lord North moved in the English Parliament for a Committee of the whole House to consider what encouragement might be afforded to the fisheries of Great Britain and Ireland, and several bounties were granted, as a result of the deliberations which followed, to the ships of Great Britain and Ireland for the encouragement of their Newfoundland fishery. Moreover, Ireland was to be permitted to export clothes and accoutrements for such regiments on the Irish establishment as were employed abroad, and a bounty of five shillings per barrel was allowed on all flax seeds imported into that country. The Irish also were to be allowed to export provisions, hooks, lines, nets and tools for the purpose of their fishery, and bounties were given for the encouragement of the whale fishery in those seas which were southward of the Greenland and Davis Straits fisheries. The duties payable upon the importation of oil, blubber, and bone from Newfoundland were also taken off as well as that upon the importation of seal-skins. But the meagre Act was of little use, and this the Government knew. It was not their policy to go out of their way to remove restrictions, except when the fear of foreign complications drove them to it. From 1743 bounties had been granted for the encouragement of the linen trade, but until 1777 all dyed or chequered Irish linens were excluded from the Colonies, and were subject to a duty amounting to prohibition, if imported into England. All efforts to obtain a relaxation of these regulations for a long time failed of success. The English manufacturers were too powerful, and no minister dared face the outcry with which he would have been greeted, had he listened to the arguments of Irish reason. Thus Lord Nugent had introduced a Bill in the English House of Commons which provided for the removal of certain prohibitory duties upon some of the staple articles of Irish manufacture. When its contents, however, became known throughout the country, all

¹ Appendix XII, quotation from Jonathan Swift.

the respectable manufacturers girded up their loins and loaded the table of the House with petitions against this invasion of their vested rights, and, as North yielded to their clamour, the chief parts of the Bill were lost.¹

In 1775 the English Government demanded the services of 4,000 Irish troops for the war which had just broken out in America—a war that never would have occurred if the Government had listened to the wisdom of Burke—and offered to supply their place in Ireland with Hessians. The Irish Parliament granted the former request, but, as may be imagined, refused the offer of the Hessians, assuring Harcourt,² the Lord-Lieutenant, that they would exert themselves in the matter of recruiting, and make the importation of foreign troops unnecessary, a promise which they faithfully carried out to the great discomfiture of the Government in the shape of the Volunteers. In 1777 the Irish Parliament was dissolved, and on the meeting of the new one an unparalleled number of peerages was created by the Government to bolster up the influence of the Castle. Five viscounts were advanced to earldoms, seven barons to viscountcies, and eighteen new barons created in the same day, a piece of manœuvring the Government were much pleased with. But whilst enjoying the after-flavour of the trick, the disgrace of Saratoga was being drunk to the dregs across the water, which when the news of it arrived considerably cooled the ardour of official intolerance.

The same year witnessed the movement that had already germinated in favour of the creation of an Irish Volunteer force. Originally an exclusively Protestant movement, and due to the apprehension of a French invasion that had appeared imminent in 1778, it was organized by the accomplished James Caulfield, Earl of Charlemont, the friend of Horace Walpole, Johnson, Goldsmith, Burke, and Reynolds; and a Militia Bill having been passed for the emergency, the Irish flew to arms to be ready to defend their shores. Before the close of the summer of 1779 a force of about 42,000 men had been armed and drilled into discipline, and soon became a political factor to be reckoned with. Charlemont, who had at first refused, finally accepted the command of the Armagh Volunteers, and under their ægis the abuses of the Secret Service and Pension List were attacked in the Irish Parliament, whilst Grattan carried an amendment to the Address demanding free trade as the natural birthright of the people. As the Volunteers said—"They knew their duty to their Sovereign and they were loyal; they knew their duty to themselves and they were resolved to be free." Many

¹ Appendix XHIA, quotations from W. N. Massey and Thomas Newenham.

² Simon Harcourt, first Earl Harcourt (1714-1777), appointed to succeed Townshend as Lord-Lieutenant in 1772. Resigned January 25, 1777.

of the corps adopted the "non-importation agreement" by resolution, and encouraged men of a like opinion to do the same. This new and unforeseen apparition was naturally distasteful to the men in power. In order, therefore, to draw the teeth of trade reformers, the Government in the beginning of 1779 granted new bounties to linen and hemp, and permitted the cultivation of tobacco in Ireland. But this policy of chaining a thirsty man within reach of the spray of a delicious fountain only exasperated the sufferers, and the cry for reform became more menacing than ever. The Government now became thoroughly alarmed at the determined aspect of this armed confederacy, and the result was that in 1779 a further alleviation was afforded to Irish trade. North, melting under the genial influence of intimidation and generously recoiling before the necessities of the hour, introduced on the 13th of December 1779 three propositions—to permit the export of glass, to permit the export of woollen goods, and to allow the Irish free trade with the English Settlements in America, the West Indies and Africa. These propositions were passed, and with Foster's resolutions were made the basis of a Bill which was successfully carried a few months later. Under its provisions the Acts which had prohibited the exportation of the Irish glass and woollen manufactures were repealed: and the trade of the Colonies was at length thrown open to the Irish, on the condition that their Parliament should impose duties on their exports and imports equal to those paid in British harbours. The Acts prohibiting the carrying of gold and silver coin into Ireland were likewise repealed. The Irish were, moreover, to be allowed henceforth to import foreign hops and to receive a drawback on the duty on British hops. They were also to be permitted to become members of the Turkey Company and to carry on a direct trade between Ireland and the Levant Sea. Thus manna was scattered amongst them, as has always been the case in the history of their country, not with the open-handed largesse of a loving protector but by the grudging hand of fear. The benefit derived from the removal of the restrictions upon the export of woollen manufactures was soon apparent. In three years the export of woollen stuffs increased from 8,000 to 538,000 yards of old, and from 494 to 40,000 yards of new draperies, an increase which represented the employment of a large amount of additional labour, and consequently greater prosperity among the working population of the country. The same year the Tenantry Act was passed to protect property which legally belonged to one person, but which "the old custom" of the country has always regarded as morally and equitably vested in another. The Irish Parliament thus interfered

to prevent the harsh application of legal principles and the confiscation of property, and under the Act a large portion of Irish land was transferred to those to whom it rightfully belonged.

In 1780 the Irish Dissenters were relieved of the Sacramental Test. Their history had been a chequered one. There had been no Toleration Act passed for the Irish Dissenters, as had been the case with their English co-religionists after the Revolution. The *Regium Donum*, re-introduced and augmented by William III, had amounted to only £1,200, and as a permanent instrument of relief was insignificant, but it involved the whole principle of legal recognition. In 1704 the Test clause became law in Ireland, and remained on the Statute Book for more than seventy years, the Presbyterians being excluded by it from all civil and military offices under the Crown. In 1719 Toleration and Indemnity Acts were passed in favour of Irish Nonconformists, and in 1737 a further Act was carried for the benefit of Irish Presbyterians, which, without authorizing the celebration of marriages by them, secured them from persecution in the ecclesiastical courts. In 1778, on the same day that relief for the Roman Catholics had been moved in the Irish Parliament, a motion was brought forward by Sir Edward Newnham for the relief of Dissenters; but the Bill which was prepared by him and Sir Boyle Roche¹ was remitted to another session. The repeal of the old law in 1780 drew one more fang from the jowl of injustice.

During the course of the same year Bushe's Irish Perpetual Mutiny Bill was also passed, which added a perpetuity clause to the English Act, that had been found insufficient as it stood. There was a proposal too at this time to create an Irish navy for the protection of the coast against foreign invasion, but the discussion of the project was postponed at the desire of the Irish Government until a more convenient season. In 1781 Ireland was granted the protection of a Habeas Corpus Act which had been withheld for so long. This act of grace was undoubtedly due to the dangerous state of affairs in America. It would have been unwise to irritate Ireland at such a moment, with her force of Volunteers and her determination to get justice, and soon afterwards this danger became even more apparent. For the English Government were decisively defeated and their armies captured at Saratoga and Yorktown. In fact, the War of Independence was over and the rulers of Ireland had lost a continent.

In the memorable year 1782 the Dungannon meeting of the Volunteer delegates was held. They had elected Charlemont as their commander-in-chief in 1780, and, flushed with their

¹ Sir Boyle Roche (1743-1807). He was master of the ceremonies at the Irish Viceregal Court.

success in carrying the commercial reform in 1779, were determined to strike yet another blow for freedom. Grattan¹ had made his first great speech declaratory of the independence of the Irish Parliament in 1780, but his motion was rejected, and in December of that year Carlisle,² who succeeded Buckingham³ as Lord-Lieutenant, had been instructed by his Government to oppose the several attempts to carry a declaration of independence, the repeal of Poyning's Act, and the limitation of the Mutiny Act. Flood's motion on the 11th of December, 1781, for an inquiry into the operation of Poyning's Law was, therefore, defeated by 139 to 67. On the 28th of December, 1781, the officers and delegates of the First Ulster Regiment met at Armagh, and resolved to hold a Convention of the Ulster delegates at Dungannon; and on the 15th of February, 1782, the celebrated Dungannon Meeting took place. The delegates claimed complete independence for the Irish Parliament, passing resolutions to the effect that the power exercised by the Privy Council of both kingdoms under Poyning's Law was unconstitutional and a grievance, and that a Mutiny Bill, not limited in point of duration from session to session, also laboured under the same defects.⁴

These resolutions formed a remarkable document; they were the first real national expression of the Irish mind. Had the Irish Volunteers had a man of iron to lead them, had they held together for a few more years, they might have swept the Augean stable clean and obtained the independence of the Irish Parliament, but an Irish Parliament loyally attached to the English Crown and the British Constitution, and which might have lasted possibly to this day. But there was no man to show them the way. Indecision, lack of a settled policy, the want of cohesion that characterizes all political and military bodies which are without a rallying point and a trusted protagonist, rendered them useless for any sustained effort and determined persistency after they had once gained their immediate object. Flood appreciated the situation, and Grattan did not; but Flood had not the authority, nor perhaps the ability to follow up in practice the prescient reasonings of his common-sense.

North's Administration had now fallen, and the weak but conscientious Rockingham, the patron of Burke, succeeded to power, the Duke of Portland⁵ taking Carlisle's place as Lord-

¹ Henry Grattan was born on July 3, 1746. In 1775 he entered the Irish Parliament as member for the borough of Charlemont through the favour of his patron, the Earl. He died on June 4, 1820.

² Frederick Howard, fifth Earl of Carlisle (1748-1825).

³ John Hobart, second Earl of Buckinghamshire.

⁴ Appendix XII B, Resolutions.

⁵ William Henry Cavendish Bentinck, third Duke of Portland (1738-1809). Twice Prime Minister.

Lieutenant. Soon after the Dungannon meeting, Grattan, backed by all the authority of the Volunteers, delivered himself of the most celebrated of all his celebrated speeches, which was in substance a demand for an Irish Bill of Rights. This was to include the repeal of the Act of George I, which declared the right of the King and Parliament of Great Britain to make laws binding the kingdom and people of Ireland; the repeal of that portion of Poyning's Law which reserved the initiation of Irish legislation to the English Council; the repeal of the Perpetual Mutiny Act; and the recognition of the Irish House of Lords as a Court of Appeal in the last resort. The great oration was a landmark in Irish history, and such was the power of Grattan's eloquence and the enthusiastic determination which he was able to infuse into the breasts of his followers, that opposition melted at the reformer's touch and the Act of Irish Independence was finally passed. On the 17th of May, 1782, Lord Shelburne in the Lords and Fox in the Commons, having read the Address, moved, "That it is the opinion of that House that the Act of the 6th of George I entitled 'An Act for the better securing the dependency of Ireland upon the Crown of Great Britain' ought to be repealed"; and repealed the Act accordingly was. Parliament then proceeded on Yelverton's¹ motion to repeal Poyning's Law, and Grattan introduced and carried a Bill to punish mutiny and desertion, which had the effect of repealing the Perpetual Mutiny Act and restoring to Parliament a due control over the army. A further Bill was also passed to reverse erroneous judgments and decrees, a measure which was introduced with a view of taking from the English House of Lords and the King's Bench their usurped appellate jurisdiction. By this great reform, the last corporate act of the patriotic Volunteers, the custom of suppressing, altering, or rejecting Irish Bills or heads of Bills in the English and Irish Privy Councils was swept away, whilst the duration of the Mutiny Act was at the same time limited to two years. English Acts of Parliament were hereafter not to bind Ireland; the Irish House of Lords regained its rights over appeals, and Poyning's Law being rescinded, the Viceroy's initiative in legislation was taken from him. The Irish Parliament was henceforth to be free to discuss and to make laws in the same way as the British Legislature; but it was provided that any Bills it might pass should be returned to Ireland under the Great Seal of England—a proviso which subjected it to a kind of Ministerial veto in addition to the

¹ Barry Yelverton, first Viscount Avonmore (1736–1805), Irish Attorney-General and later on Chief Baron of the Court of Exchequer. He was a man of simple and ingenuous nature. As a speaker he was remarkable for figurative language equally powerful and beautiful.

Constitutional veto of the Crown. On the passing of this reform Grattan's grateful countrymen, wishing to show their sense of the value of his labours, offered him £100,000 as a gift from the nation, but he refused it, and was with difficulty persuaded to accept half that sum, an amount which henceforth enabled him to devote himself exclusively to political affairs without the daily anxiety of having to earn his livelihood at the bar. Grattan deserved this tribute. He had worked hard for his country, had sorrowed much for her, and hoped much; as he himself said—

"I found Ireland on her knees; I watched over her with a paternal solicitude; I have traced her progress from injuries to arms, from arms to liberty. Spirit of Swift! Spirit of Molyneux!¹ your genius has prevailed! Ireland is a nation. In that character I hail her, and, bowing in her august presence, I say, *esto perpetua!*"

The work of the Volunteers, in the absence of an unflinching and sagacious leader of the Cromwellian type, was now practically done.²

The Irish had wrung from their rulers, almost at the point of the bayonet, a great concession, which was granted with a very poor grace, but earned by a single week of the centuries of intolerable subjection under which they had lain. There was no cause to grudge them this tardy modicum of justice, and there was no danger in doing so, for on the passing of the Bill of Independence Grattan proposed in the Irish Parliament that they should show their loyalty to Great Britain and their gratitude for the measure by voting £100,000 to raise and equip 20,000 Irish seamen for the common defence of the Empire, and his proposal was adopted with the greatest enthusiasm. If the monarchs of Ireland had been wise in their generation, they would have cried out as a king formerly exclaimed of the same people—"Cursed be the laws that rob me of such subjects."

This celebrated year also witnessed the removal of one of the last grievances of the Irish Dissenters, their Ministers being placed upon the same footing as the Anglican clergy in regard

¹ William Molyneux, the friend of John Locke. He wrote the *Case of Ireland*, an interesting little book describing various Acts of Parliament, and was the first to formulate Ireland's constitutional claim to independent existence.

² W. N. Massey says of them—

"This noble body, which, for purity and loftiness of purpose, may be advantageously compared with any patriotic association of ancient and modern times, seems to have exhausted for the time all that was wise, generous or true in the political character of their country. . . . It was not for the purpose of a brawling agitation or to barter their country to a foreign power, that the bravest and noblest of the land by a spontaneous impulse sprang to arms. It was the defence of their country from foreign aggression; and her liberation from those fetters and badges of servitude which her imperious sister had imposed, that the Volunteers of Ireland had resolved to effect. These great ends accomplished, their mission had been fulfilled."

to the right of celebrating valid marriages between the members of their flock. About the same time, under Portland's Irish Administration, Eden's¹ Act was passed for the establishment of the national bank under the name of the Governor and Company of the Bank of Ireland. The subscribers to it were to pay in £600,000, either in cash or debentures at 4 per cent. which were to be taken at par and considered as money. This sum was to be the capital stock of the bank, and the debentures to that amount, when received, were to be cancelled by the vice-treasurers; an annuity of £24,000 being paid to the Company as equivalent to the interest payable upon them. The stock was to be redeemable at any time, upon twelve months' notice, after January 1st, 1794. Under the same administration the Sacramental Test, by which Protestant Dissenters had been excluded from offices of trust under the Crown, was repealed, and another Act was passed by which the Commission of Irish judges was made to continue *quamdiu se bene gesserint*; whilst a further measure enabled the King to draw from Ireland, at his pleasure, a force not exceeding 50,000 men.

In 1783 arose the question of what was known as "Simple Repeal." It was argued by Irish Parliamentarians, among whom Flood was conspicuous for his brilliant and conclusive reasoning, that the English Parliament should pass a "Renunciation Act" in addition to and sealing as it were the "simple repeal" of the Declaratory Act of George I. The proposal was agreed to, and a "Renunciation Act" was passed at Westminster confirming the Act of 1782, and abandoning the old pretensions of the English Parliament to legislate for Ireland. But the Irish required something more than a barren Act of Renunciation. Their system of Parliamentary government was rotten to the core, and they commenced soon afterwards to agitate for a radical reform of the Legislature, which was not only poisoned by the corrupt influence of the borough-mongers and the selfish ascendancy of the English Ministers, but had through a long period of base subserviency to the Castle almost lost the desire for independent action. Its composition, indeed, was a farce of representation. One hundred and sixteen nomination seats were divided among some five-and-twenty proprietors. Lord Shannon returned no fewer than sixteen members, and the great family of Ponsonby fourteen; Lord Hillsborough had nine seats, the Duke of Leinster seven, and the Castle twelve. The whole rateable strength of Government in the Irish House of Commons amounted to one hundred and eighty-six votes, which were divided into five classes: (1) Eight-six proprietary seats, the owners of which had let them out in consideration of titles, offices, and pensions, in

¹ William Eden, first Lord Auckland, Chief Secretary under the Earl of Carlisle's Vice-royalty.

possession or expectancy ; (2) The twelve seats belonging to the Government ; (3) Forty-four seats occupied by placemen ; (4) Thirty-two votes of gentlemen who had promises, or who had avowed their expectations of favours and qualifications ; and (5) Twelve members not registered in the secretary's book as demanding either peerages, places, or pensions, and, therefore, set down as supporting the Government on public grounds. Besides these there was a party of twenty-nine, who affected and sometimes asserted an independent position in the House. The regular Opposition was limited to eighty-two, and of these thirty were the nominees of Whig proprietors, and fifty-two represented the popular party. Lord Charlemont, the organizer of the Volunteer movement, favoured a constitutional agitation for the purpose of dragging these abuses into notice and obtaining a Parliamentary reform, and, in accordance with this policy, the Volunteer Convention met in the Rotunda in 1783 to discuss the matter. Soon afterwards Flood brought in his Reform Bill as a result of these consultations and, with an eloquence only surpassed by Grattan, unfolded his scheme of reconstruction in the Irish Lower House. He proposed to throw open the doors of the close boroughs by admitting to the franchise all Protestant forty-shilling freeholders and leaseholders of thirty-one years, of which thirteen were unexpired ; whilst in the case of decayed boroughs the franchise was to be extended to the adjoining parishes. Pensioners during pleasure were to be excluded from Parliament, and persons accepting a pension for life or a Government post were to vacate their seats. Each member, moreover, was to take an oath that he had not been guilty of bribery at his election ; and Parliaments were henceforth to be triennial. The chief flaw in the Bill was that whilst the franchise was considerably extended, no provisions were made for giving political power to the Catholics, and as the Catholics formed the vast majority of the population, the omission was a blot upon the whole measure. But in spite of this defect it was a long step in advance. Those, however, who had so long fed off the spoils of place were in no haste to abandon their offal, and the Bill was rejected by 159 votes to 85.

The Volunteer Convention was dissolved the same year. Flood¹ had always been in favour of retaining the Volunteer force as a reserve for the support of the Irish patriots, so as to enable them to carry the necessary Parliamentary and other reforms ; but Grattan had opposed him, and trusting to the magnanimity of the English Government, had generously

¹ Henry Flood was born near Kilkenny in 1732, and entered Parliament in 1759 as member for Kilkenny in his twenty-seventh year. He married Lady Frances Maria Beresford, who brought a large dowry with her, and he died on December 2, 1791, on his estate at Farmley, near Kilkenny.

renounced this formidable weapon. There is very little doubt that Flood was strategically right and Grattan wrong upon this question, which formed the rock on which their friendship foundered after a voyage of many years.¹

Temple had meanwhile succeeded Portland as Lord-Lieutenant, and the former was in his turn followed after a few months in 1783 by Northington,² and the latter again by Portland in February 1784. In that year Flood made another effort to carry a Reform Bill, but his proposals were again thrust back with contumely, and in face of this ingrained and selfish dishonesty that had infected the whole brood of official flunkies, the conviction from this time sank deep into the minds of earnest Irishmen that the reform of Irish parliamentary institutions, and consequently of Ireland as a whole, could only be effected by the thunders of a revolution.

The Irish Parliament now proceeded to turn its attention to commerce. In spite of the restrictions upon Irish trade the country had made vast strides in industry and prosperity. The Irish name was respected by merchants all the world over, and the Irish fisheries were renowned for their excellence and the honesty with which they were carried on. Although the Irish herring-barrel only contained twenty-eight gallons whilst the Scotch barrel held thirty-two, the former sold at an equal or superior price. A Parliamentary Report of 1785 showed that the Irish name stood so high that their herrings sold at 14½ per cent. dearer than the Scotch, whilst the Irish fisheries were never charged with the "fraud, perjury, and all the tricks which ingenuity could invent to rob the public," such as partly filling barrels with stones and rubbish, which had almost entirely destroyed the sale of British herrings in European markets. It is well to record such facts, which are historically certain, in view of that claim to commercial purity which was sometimes made by the rulers of Ireland in their attacks upon Irish character. In 1784 Foster's³ important Corn Bill was passed, which provided that large bounties should be given on the export of corn, and heavy duties imposed upon its importation. This measure, which alleviated Irish agriculture and gave

¹ W. E. H. Lecky observes in this connection—

"Had he (Flood) succeeded he would have placed the independence of Ireland on the broad basis of the people's will; he would have fortified and completed the glorious work that he had himself begun, and he would have averted a series of calamities which have not even yet spent their force. We should never have known the long night of corruption that overcast the splendour of Irish liberty. The blood of 1798 might never have flowed. The Legislative Union would never have been consummated or, if there had been a Union, it would have been effected by the will of the people, and not by the treachery of their representatives, and it would have been remembered only with gratitude or with content."

² Robert Henley, second Earl of Northington (1747-1786).

³ John Foster, Lord Oriel (1740-1828), last speaker of the Irish House of Commons.

a great impulse to cultivation, may be said to have changed the face of the land, for it converted enormous tracts which had hitherto been pasture into tillage. The same year Foster carried another measure successfully through the Irish Parliament. By the terms of his Press Bill the true names of every newspaper proprietor had henceforth to be registered; the sale of unstamped papers in the streets was also forbidden, and the acceptance or the offer of any money for printing or forbearing to print libels was to be held a high misdemeanour. On the rejection of Flood's second Reform Bill a National Congress of delegates from the counties and cities of Ireland had met in October, 1784, to discuss the question of Parliamentary Reform. They then adjourned and met again at Dublin on the 2nd of January, 1785, when resolutions were passed in regard to the method in which the matter should be agitated in the Irish Legislature.

On February 22nd, 1785, Pitt introduced his Irish "Commercial Propositions" at Westminster. The terms of the proposed settlement had already been negotiated between Orde,¹ the Chief Secretary, and certain Irish Commissioners. Ireland, already free to trade with Europe and the British Colonies in the West Indies, was now to have the American and African trade thrown open to her, and colonial produce which could already be conveyed in Irish bottoms to British ports, was henceforth to be allowed to be reshipped from Ireland to any part of Great Britain. In return for this concession the surplus of the Irish hereditary revenue was to be appropriated to the navy and general defence of the Empire. Now, the public revenue of Ireland was of two kinds, the one hereditary and the other temporary. The hereditary revenue itself was of two descriptions, that which had been established by ancient custom, and that granted by Act of Parliament to the Crown. Before the Revolution the hereditary revenue had sufficed for carrying on the government of the country; but after the Revolution the expenses of a large army rendered an augmentation of revenue absolutely necessary. Thus there arose what was known as the temporary revenue, the Irish Parliament voting every session certain sums to make up the deficiency in the hereditary revenue. On Pitt's proposals being sent over to Ireland, the Irish Parliament passed a resolution modifying Pitt's plan by making the contribution of the surplus in time of peace contingent upon the establishment of a balance between revenue and expenditure, and his proposals thus amended were accepted and returned with the resolutions to England. But this spectre of reform unmanned

¹ Thomas Orde, afterwards Orde-Powlett, first Lord Bolton, Chief Secretary under the Duke of Rutland's Viceroyalty from February 1784 to October 1787.

the tradesmen across the Channel, and sixty-four petitions were immediately drawn up and presented with every symptom of injured innocence against the measure, one signed by 80,000 persons being sent from Lancashire. A herd of bloated "Nabobs" also tramped to Westminster, and implored Ministers, for the love of God, to put a spoke in the Irish wheel and so earn a sharper's gratitude. Impressed by this clamour, and not at all reluctant to do itself a good turn, the Commercial Party at Westminster, with the same lust for gain and disregard of justice as in 1699, hereupon proceeded to modify the resolutions by nine other Articles, one of which excluded Ireland from the participation in the Indian trade on equal terms with Great Britain by stipulating that so long as the British Parliament wished to have commerce carried on beyond the Cape of Good Hope by an exclusive company, dealing through the Port of London, so long should Ireland be debarred from dealing direct with any country whatever beyond the Cape and the Straits of Magellan. It was also stipulated that all trade or navigation laws which had been or should be made by the English Parliament, should also be enacted by the Irish Parliament, and that nothing but colonial produce should be transhipped through Ireland into Great Britain. The measure thus amended was carried at Westminster; but Fox denounced these shopkeeping proclivities—"I will not barter English commerce for Irish slavery. This is not the price I would pay nor is this the thing I would purchase"; and the Irish Parliament, agreeing with that statesman, refused to accept this mutilation by a selfish and interested section; whereupon the Chief Secretary, Orde, foreseeing that he would have a majority against him, decided to drop the mangled Bill. In this manner arose the first of the two great differences between the English and Irish Parliaments, the second being occasioned, three years later, by the question of a Regency. Thus the fair hopes of Irish industry were dashed to the ground, for Pitt, with lightning discernment of personal advantage, scenting, as he did, the possibility of unpopularity should he stand by a measure which he knew to be just, dropped Irish Commercial Reform like a red-hot coal and never touched it again. He dropped it, as he afterwards dropped Catholic Emancipation, the endowment of the Catholic Clergy, the commutation of tithes, and Parliamentary Reform in his own country.¹

The same year in which Pitt's commercial propositions fell through (1785) a petition bearing 117,000 signatures was presented by the City of Manchester praying for the prohibition of Irish linens. This selfishness, however, was too much

¹ Appendix XIII, extract from speech by William Pitt, and quotations from Thomas Newenham, Richard Cobden, and Lord Dufferin.

even for the commercial prudence of the predominant partner, and her one remaining industry was allowed to stand. On the 6th of March, 1785, Forbes moved in the Irish Lower House for a consideration of the Pension List, urging a reduction in the amount of those allowances, which were not only devoted to the reward of merit, but lavished on the ministers of vice. But his motion was lost, and the Bill which he subsequently introduced for the purpose of effecting his object was rejected by a majority of fifty-six.¹

A Police Bill was passed in 1786 to remedy the scandalous state of the administration of justice in Dublin, and the Crimes Bill and Whiteboy Act were carried during the course of the following year in consequence of the increase of Whiteboy outrages, which were directed against the payment of tithes. That the tithe system was a brutal and exasperating one in face of the misery of the Irish people and the enormous preponderance of Catholics over Protestants, not even the vilest parasite that ever licked the boots of Castle patronage could venture publicly to deny. Even Clare, the hard, unyielding man of the Ascendency, of whom it might be said, as Marlborough said of James II, that a marble mantelpiece was not so hard as that man's heart, admitted that the poverty of the Irish peasant was indescribable, and the tyranny of the landlords a disgrace to humanity.²

In October 1787 the hair-brained Rutland³ died, and the Marquis of Buckingham,⁴ of whom more anon, succeeded him as Lord-Lieutenant. In the early part of the following year Grattan submitted eight resolutions for the modification of the tithe system, but they were stifled by a prorogation. Such a reform was, as may be supposed, unpalatable to the English interest, and the Irish Parliament refused to accept the principle of commutation, the old system of fleecing the poorest of the

¹ Appendix XIII A, extract from speech by John Philpot Curran.

² In 1787 (*circ.*) he said—"I agree with the right honourable gentleman (Grattan) that the lower order of the people in Munster are in a state of oppression, abject poverty, sloth, dirt and misery, not to be equalled in any other part of the world. . . . I am very well acquainted with the province of Munster, and I know that it is impossible for human wretchedness to exceed that of the miserable peasantry in that province. I know that the unhappy tenantry are ground to powder by relentless landlords. I know that far from being able to give the clergy their just dues, they have no food or raiment for themselves—the landlord grasps the whole."

Clare was a malignant and petty foe and an execrable bad shot. In his duel with John Philpot Curran, after the latter had fired, he took aim at him for nearly half-a-minute, and even then missed. One day when it was known that Curran was to make an elaborate speech in Chancery, Clare brought a large Newfoundland dog into Court with him, and during the progress of the argument ostentatiously concentrated his attention upon fondling the animal. Curran upon perceiving this stopped. "Go on, go on, Mr. Curran," said Clare. "Oh, I beg a thousand pardons, my Lord," replied Curran, "I really took it for granted that your Lordship was employed in consultation."

³ His trull was the shameless and impudent Peg Plunket.

⁴ George Nugent Temple Grenville, first Marquis of Buckingham (1753-1813),

poor continuing to be the chief source of Irish crime until it was eventually strangled in 1838. Pension reform was in a like predicament, the disclosure of gross abuses merely hardening the official heart, and rendering more obdurate than ever the determination of the Court to brook no interference with its darlings. On January 1, 1788, the Pension List had swollen to the unsightly bulk of £96,289, exclusive of military pensions and additions to salaries. In 1789 sixteen peers were created or promoted, whilst the Pension List was increased by £13,000 a year. Ponsonby declared that there were 110 placemen in the Irish Lower House, and that one-eighth of the revenue of the country was divided between members of Parliament. But Forbes' motions in 1788 to remedy this state of affairs were rejected. A motion was also made at this time for a return of the hearth-money, an impost long since abolished in England and pressing heavily upon the poorer classes; but this request likewise was treated with contempt.

In 1788 arose the question of the Regency during the imbecility of George III. Pitt argued, contrary to the spirit of the Constitution of 1782, that the English Parliament had a right to select a Regent and define the scope of his powers. Fox, on the contrary, and with him the Irish Parliament, held that the heir to the throne alone had a right to enter into the full exercise of Royal power in such circumstances, but that Parliament was entitled to pronounce what time the Prince ought to assume this power. The controversy, which was beginning to arouse great bitterness, and might have caused a serious difference in Ireland between the views of the Parliament and those of the Castle, was finally hushed by the King's recovery.

Several other noticeable features of the time may be glanced at. In view of the corruption shamelessly indulged in by the Government, such as the buying of votes and the sale of peerages and office, as well as the intimidation employed against those persons whose courage and virtue were alike superior to the sinister ill-will of a court or the suggestions of a political procurer, a "Round Robin" was signed by the leading Peers and Commons denouncing the licentious attempts to compel honour to doff her cap at the shadow of the Castle. Out of this "Round Robin" sprang the Whig Club. The Duke of Leinster, Charlemont, Grattan, Ponsonby, and John Philpot Curran¹ were among its members; and James Napper Tandy, and the

¹ It was Curran who wrote the poem, *The Deserter*. His wit was spontaneous and never ill-natured. An instance of it was his reply to a learned judge in court who asked him what a laugh without a joke was like. "A laugh without a joke," said Curran, "is like a contingent remainder without any particular estate to support it." He was Grand Prior of a social club, called "The Monks of the Screw," which numbered among others, Flood, Grattan, Father O'Leary, Lord Charlemont, Judges Day, Chamberlaine, and Metge, Bowes, Daly, George Ogle, Lord Avonmore, and Mr. Keller.

majestic and quixotic Archibald Hamilton Rowan soon joined it. The Club, which professedly acted in concert with the Whig Club in England, declared its object in 1789 to be to maintain in its integrity the Constitution of 1782, and to agitate for a Place Bill, a Pension Bill, a Bill for the abolition or modification of the Dublin Police, and Bills for the disqualification of revenue officers, and the curtailment of unnecessary offices which had been recently created and distributed among various accommodating members of Parliament. The same year that these attempts were made to stem the tide of knavery that welled from Dublin Castle, Buckingham died, and was succeeded in Ireland by the Earl of Westmorland.¹ We promised to return to the Marquis of Buckingham and we now keep our promise. Grattan said of him in a speech delivered in Parliament on January 22, 1790, whilst the former was still alive—and we recommend the criticism to the attention of those who would form an idea of what an Irish Viceroy could be like in those days—

“This was the man; you remember his entry into the capital, trampling on the hearse of the Duke of Rutland, and seated in a triumphal car, drawn by public credulity; on one side fallacious hope, and on the other many-mouthed profession; a figure with two faces, one turned to the treasury, and the other presented to the people; and with a double tongue, speaking contradictory languages.

“This minister alights; justice looks up to him with empty hopes, and speculation faints with idle alarms; he finds the city a prey to an unconstitutional police—he continues it; he finds the country overburdened with a shameful pension list—he increases it; he finds the House of Commons swarming with placemen—he multiplies them; he finds the salary of the Secretary increased to prevent a pension—he grants a pension; he finds the kingdom drained by absentee employments, and by compensations to buy them home—he gives the best reversion in the country to an absentee, his brother! He finds the Government, at different times, had disgraced itself by creating sinecures to gratify corrupt affection—he makes two commissioners of the rolls, and gives one of them to another brother; he finds the second council to the commissioners put down, because useless—he revives it; he finds the boards of accounts and stamps annexed by public compact—he divides them; he finds three resolutions declaring that seven commissioners are sufficient—he makes nine; he finds the country has suffered by some peculations in the ordnance—he increases the salaries of offices, and gives the places to members—Members of Parliament!”

The picture was not overcharged, but he spoke to deaf ears. The Castle nominees were not going to cut their own throats, and three motions which were brought forward respectively by Forbes, Ponsonby, and Grattan in 1789, to investigate the state

¹ John Fane, tenth Earl of Westmorland (1759–1841), held office of Lord-Lieutenancy from 1790 to 1795.

of the Pension List and the action of Buckingham's administration in regard to the granting of places and peerages were rejected, the last by a majority of sixty-two. In 1791, Grattan and Ponsonby made another attempt. On the 3rd of February, the latter moved for a Select Committee to inquire into the Pension List; whilst Grattan asked for an investigation into the practice of selling peerages; but both motions were lost, the former by a motion for adjournment and the latter by a majority of fifty.

Another movement had also made itself felt about this time. The Peep of Day Boys (known also by the name of "Protestant Boys" or in some places as "Wreckers") and the Defenders (the latter of whom had organized a new Whiteboy agitation, which aimed especially at the reduction and abolition of tithes, and the general redress of grievances) had gradually merged more or less into Orangemen and United Irishmen respectively.¹ The first sign of the formation of the United Irish Society, the idea of which originated with Samuel Neilson,² was the union in 1791 of the Presbyterians with Roman Catholics. In that year Wolfe Tone, the son of a coachbuilder and born in Dublin in 1763, founded and organized the first society of United Irishmen³ in Ulster for the promotion of Parliamentary Reform, with Napper Tandy as Secretary of the Dublin Branch, and Hamilton Rowan one of his principal coadjutors. Keogh, of the Catholic Committee, also lent him his invaluable help in bringing over the Catholics to his scheme. Grattan, whose Bill of 1789 for the disfranchisement of officers employed in the collection or management of the Irish revenue had been defeated, was likewise in favour of Parliamentary Reform and the enfranchisement of the Catholics, but, unlike Tone and the United Irishmen, who were persuaded that Ireland could flourish, if necessary, as a separate state, vehemently urged the necessity of the maintenance of the English connection. In order to disseminate the principles of their league the United Irishmen now established a paper of their own under the name of the *Northern Star*, of which Samuel Neilson was chosen editor, its object being to promote the co-operation of all Irishmen, Protestant as well as Catholic, in the cause of National Independence.

¹ Appendix XIIIb, quotation from G. Cornewall Lewis.

² Samuel Neilson (1761-1803). Died in America.

³ The United Irishman's oath was as follows—"I, A B, in the presence of God, do pledge myself to my country, that I will use all my abilities and influence in the attainment of an adequate and impartial representation of the Irish nation in Parliament; and as a means of absolute and immediate necessity in the attainment of this chief good of Ireland, I will endeavour, as much as lies in my power, to forward a brotherhood of affection, an identity of interests, a community of rights, and a union of power among Irishmen of all religious persuasions, without which every reform in Parliament must be partial, not national, inadequate to the wants, delusive to the wishes, and insufficient for the freedom and happiness of this country."

By 1792, although much remained to be done and much had been illiberally refused her, Ireland had wrung from her rulers by uninterrupted agitation and an importunity bred of prolonged distress, an Octennial Act, free trade, a full participation in the commercial intercourse with the British Colonies, a Habeas Corpus Act, the benefit of all the English treaties, the independence of her Legislature and of her judges, and the re-establishment of the final judicature. The Test Act had also been repealed; the validity of Dissenters' marriages had been fully recognized; and by far the greater part of the accursed Penal Code had been blotted from the Statute Book. Agitation, pure and simple, had effected these reforms. The officials at Dublin Castle had taught the Irish that no other method was of any use, that their taskmasters were sanguine cowards, that, although they never gave way to reason, they were always ready to yield to fear; and the Irish had learnt their lesson well. Other reforms were to be obtained on the same principle—that a poltroon understands a horsewhip better than an argument.

The problem of Parliamentary Reform was again discussed in the Irish Parliament, and the solution of it again rejected in 1792, Forbes' Place and Pension Bills suffering the same fate they had undergone before. The efforts of the Volunteer Convention of 1783 in this direction had been prejudiced by the endeavours of Flood, its representative, to overawe the Government and Parliament by too menacing a display of military force; and Grattan and the more moderate reformers had been deterred from participating in an agitation that might possibly become treasonable and had already become dangerous. The same danger indeed still existed; for the subtle influence of the French Revolution on men's minds had begun in 1792 to assert itself in the conduct of Irish affairs, and the new spirit of volunteering had gradually assumed a menacing republican shape. French agents began to conspire with Irish agitators, and the Catholics, the United Irishmen, and the Volunteers, recognizing the expediency of co-operation, had insensibly drawn nearer together. The Association of the "Friends of the Constitution" was formed by Grattan in 1792, as the Whig Club, whose fundamental principle was the maintenance of the Constitution of 1782, was unable to agree with his view as to Catholic Enfranchisement and Parliamentary Reform. The new Association faithfully embodied his policy and differed from that of the United Irishmen, amongst whom a seditious spirit was rapidly spreading, in not countenancing hazardous or illegal methods of agitation and in resisting all subversive republican innovations. In 1792 the National Guard was formed in Dublin. They wore green uniforms with buttons engraved with a harp under a cap of liberty instead of a crown, and their leaders were

Hamilton Rowan¹ and Napper Tandy. The spirit that fired them was that of the French Revolution, and the Castle junto therefore looked upon them all with undisguised disfavour.

In 1793 the great Catholic Relief Bill was passed, admitting Catholics to the franchise. One of the results of this measure, which will be discussed later, was the increase of small Catholic freeholders, who were purposely created by the great landlords for the sake of political power. This new feature in the Irish land system contributed to further aggravate the relations between landlord and tenant, for on the disenfranchisement of the forty-shilling freeholders in 1829, many of these mushroom occupiers having served their purpose were driven from their homes.

Several other events were included in the history of this notable year. Various measures of redress were granted by the Irish Government with a view to conciliate the more violent reformers and thus postpone the cure of the paramount malady—the destruction of the corrupt influence of the nomination boroughs. The sop took the form of a Responsibility Bill, which brought the signatories of money warrants under control of Parliament. Henceforth no money could be disposed of by the sole order of the King; for Irish officers were to sign all warrants and every warrant and officer came before Parliament. The consequence was that the so-called hereditary revenue was voted annually. An Irish Board of Treasury was also created and the Civil List reduced and fixed. A Pension Bill, too, was passed, excluding from Parliament all future pensioners at will or for years, and reducing the total amount of pensions from £120,000 to £80,000, and a Place Bill was carried, excluding revenue officers whose duties required their absence from Dublin, and vacating the seats of members who should henceforth accept Government offices. A Barren Land Bill, introduced by Grattan, was passed to encourage the cultivation of the great tracts of barren land that still existed in Ireland by exempting them for a period of seven years from the burden of tithes, and the East India trade was at length thrown open to Irish enterprise. A Libel Act, corresponding to Fox's Libel Act, provided that juries in libel cases might give their verdict upon the whole matter at issue, instead of being confined to the bare questions of publication and meaning; and a Hearth Tax Bill rearranged the impost, providing that all cottages that had only one hearth and tenancies of a not greater value than five pounds a year should be wholly exempt from the tax.

These measures of reform, so salutary for the country, were odious to the Castle pack, who forthwith proceeded to direct their ordnance against Volunteers, Conventions, and Catholic

¹ He was a very majestic-looking man and always on the look out for a cause to champion, preferably a female cause.

Committeemen, and to pass a Gunpowder Bill which not only forbade the importation of arms and ammunition, but the removal or keeping of gunpowder, arms, and ammunition without a licence, and authorized magistrates and police to search for arms. The Convention Act, introduced into the Irish Upper House by Lord Clare, followed for the purpose of gagging inconvenient discontent. It forbade the assemblage of large and therefore possibly dangerous bodies of men to discuss political affairs. After reciting that the election of assemblies, purporting to represent the people, under pretence of preparing or presenting petitions, etc., for redress of alleged grievances in Church and State, might be made use of for seditious purposes, it proceeded to enact that all such gatherings were unlawful, and that all persons giving or publishing notice of the election to be made of such persons were guilty of a high misdemeanour.

One more measure of 1793 may be mentioned. The army had been raised to 20,000 men, and a Militia Bill, which caused great discontent among the Catholics, was now introduced by Lord Hillsborough and passed into law. It provided for the raising of 16,000 men, upon a rough estimate of 500 for each county. In spite of the Convention Act, which was passed in order to stifle the efforts of the Reformers, the good legislation of this year largely predominated over the bad. The dark pall of degradation had lifted in Ireland and every gaze was turned to the morning light in expectation of a bright future. But on the horizon was a little cloud no bigger than a man's hand, and these several acts of grace of 1793 were only the treacherous unveiling of the heavens before the approaching storm.

In 1794 Ponsonby's Bill to reform the abuses of the nomination boroughs was rejected by the Irish Parliament, notwithstanding the unquiet social state of Ireland and the simmering of the political cauldron, troubled as it was by the energy of the United Irishmen and the levelling principles of the French Revolution. The same year also witnessed the secession of Portland, Fitzwilliam, Spencer, Wyndham, and other Whig statesmen from their old party, Portland seceding on the understanding that he should be allowed the management of Irish affairs. Fitzwilliam became President of the Council; Lord Spencer, Privy Seal; Portland, Secretary of State; and Wyndham, Secretary of War. On the 4th of May in the same year the Tailors' Hall in Dublin, where the meetings of the United Irishmen were held, was raided by the Government and the papers belonging to the society seized. From this time the less violent members of the Association began to secede from the United Irish League, and in the course of the following year the society was reorganized on a military and more revolutionary basis. A few days before this raid took

place the Reverend William Jackson was apprehended in Dublin on a charge of high treason. He had come with revolutionary instructions from France and was tried, convicted, and condemned to death. But the thought of execution unnerved him, and, determined to elude the clutches of the hangman, he swallowed poison in court. Hamilton Rowan was convicted for the publication of an address from the United Irish Society to the Volunteers of Ireland, after being defended by Curran. However he neither wrote nor distributed the address. Willis, who did distribute it, and who resembled him, was never indicted. Its actual author was Drennan, who was prosecuted and acquitted. Rowan contrived to escape from prison. The Government offered a reward of £1,000 for his apprehension, the City of Dublin £500, and certain individuals £500 more. But the bribe of £2,000 failed to sap the loyalty of three fishermen, two of them of the name of Sheridan, who, though aware of his identity, proved true to him and carried him abroad in a fishing-smack. Dr. Reynolds, another plotter, also escaped.

In 1795 occurred the Fitzwilliam incident, a curious mixture of imposture and misunderstanding, and pregnant with future Irish calamity. It had been expected that Lord Fitzwilliam would succeed Westmorland as Lord-Lieutenant; in fact the former had been offered and had accepted the post, although it had not yet been officially declared vacant, and the mere rumour of the change raised the hopes of the Irish Catholics, who looked primarily to the Whigs for a measure of emancipation. Grattan had, a short time before, been to London, where he had had an interview with Pitt, who informed him that while the Government were desirous of postponing the Catholic question and would not bring it forward at present on their own responsibility, they would not oppose it, if brought forward by others. On the strength of this declaration, which they read between the lines, Grattan and his followers naturally imagined that they had a free hand in the matter, and that though they could expect no direct help from Ministers, they at least had their secret good-will and authorization. But before many weeks had elapsed a quarrel broke out between Pitt and the Whig seceders. Pitt stipulated that Fitzgibbon and others of the same political colour should retain their posts under the new administration at the Castle, and complained that Fitzwilliam and his Whig friends had exceeded their powers in prematurely making promises and committing themselves to various engagements in regard to the Catholics in Ireland without his knowledge and without his sanction. This spleen on the part of Pitt and his sudden change of front in regard to a conciliatory policy naturally incensed the Irish Catholics and Irish Whigs, who loudly protested that they had been fooled, and that he had obtained the benefit of their

alliance under false pretences : and their complaint was not unfounded. They had indeed been the dupes of a superior intelligence.

This estrangement, however, was bridged over for the time being. Fitzwilliam arrived in Ireland on January 4, 1795, jubilantly hailed by the expectant Catholics as their deliverer ; for they knew him to be, unlike Portland, strongly in favour of complete emancipation ; and they determined to bring the question of their rights of citizenship to an issue on the first opportunity. Every description of Catholic petitioned for emancipation, and as the bulk of the Protestants of Ireland were on their part ready to concede it, the English Government, had it been willing, might have carried the great measure that year instead of in 1829 and thereby earned the gratitude of the Irish people. The Parliament of 1795 met in Dublin just as the war between England and France was breaking out. Fitzwilliam was determined to inaugurate an independent policy, and perceived that the great bar to reform was the implacable bigotry of the Ascendancy. He, therefore, commenced by boldly removing some of the members of it from the Administration. Arthur Wolfe, the Attorney-General, was elevated to the peerage,¹ and his place given to George Ponsonby ; John Toler, the callous and good-tempered Solicitor-General,² was also removed and provided with a sop ; Edward Cooke, the Under-Secretary to the Military Department, was pensioned off ; and the powerful Chief of the Beresford family, a Commissioner of Revenue, retired on full pay. No word of remonstrance came from England in regard to these proceedings. The silence of Ministers could have no other meaning but acquiescence, and it appeared as though the Home Government not only fully concurred but almost rejoiced in the liberal spirit of the new arrangements. Meanwhile the hearth-tax was abolished, duties being imposed upon the wealthier classes in order to make up for loss of revenue. On February 12, 1795, Grattan moved for leave to bring in a Bill for the relief of the Roman Catholics, and there were but three dissentient voices. Enfranchisement was within reach, it almost lay like an adored mistress in the

¹ As Baron Kilwarden ; appointed Lord Chief Justice of Ireland in 1798. Murdered in 1803.

² Toler, afterwards Lord Norbury, was a curious study for any one interested in human nature. He had a heart of flint and an angelic temper. To show the sort of character this man bore among his contemporaries two anecdotes are appended. Travelling one day with John Parsons, one of the Irish Commissioners of Insolvency, in a carriage, they passed a gibbet. "Parsons," said Norbury, with a chuckle, "where would *you* be now if every one had his due?" "Alone in my carriage," replied the literal and imperturbable Parsons.

Harry Grady irritated by Norbury once said to him in court, "The incident reminds me, my lord, of a judge I once heard of, who was never known to weep but once, and that was in a theatre." "Deep tragedy, I suppose, Mr. Grady?" "No, indeed, my lord ; it was at the Beggar's Opera, when Macheath was reprieved."

arms of Catholic Ireland. Then, suddenly, like a bolt from heaven, came two letters from England, one from Pitt rebuking Fitzwilliam for the dismissal of Beresford, the other from Portland urging a postponement of the Catholic Relief Bill. Fitzwilliam in despair summoned all his eloquence to demonstrate the extreme gravity of the situation and the danger of disappointing the expectations of the Irish, but in vain. The arbiters of Ireland's fate were proof against argument, although endowed with a large measure of political cunning. After several months of shuffling they had at length shown their hand, and having peremptorily bidden Fitzwilliam do all in his power to prevent a Catholic Relief Bill from coming before the Parliament and censured him for his previous philo-Catholic attitude, recalled him the same year. Camden¹ was appointed in his place and directed to stifle, if possible, the growing vitality of the Catholic cause.

The reason of this sudden change of policy has never been fully elucidated, but it is not improbable that Pitt had been startled into this decision by letters from high officials in Ireland, who were enraged with Fitzwilliam on account of his well-known desire to get rid of Fitzgibbon and curb the Ascendency, and on account of the actual dismissal of the Chief of the Beresfords from his employment, who assured Pitt with practised duplicity of the strong anti-Catholic feeling prevalent in the country and the danger of making further concessions to the Irish Catholics. However that may be, the die was cast, and there will always be those who believe that the accumulated horrors of 1798 were the direct outcome of his policy. For this unpardonable piece of folly, to call it by the gentlest name, which was followed by the rejection of the Bill for Catholic Emancipation in the Dublin Parliament and which showed that there was nothing more to hope for by constitutional means, drove the most energetic of the Catholics into the arms of the United Irishmen and may be regarded as the fatal turning-point in Irish history.

We have now reached the events which led directly to the rebellion of 1798. The agrarian system, as we have seen, was radically unsound. The actual owner of the soil seldom made or directly paid for any improvement on his land—a custom which constituted one of the fundamental differences between Irish and English land-tenure—but left the work of making them to large tenants, who, in return, received great tracts at very low rents on leases for lives, sometimes renewable for ever on the payment of a small fine at the fall of each life, but more frequently extending over fifty, sixty, seventy, or even eighty years. By a series of "Timber Acts" the Irish Parliament

¹ John Jeffreys Pratt, second Earl and first Marquis of Camden (1759–1840).

had endeavoured to encourage planting by giving tenants for life or for years a partial or absolute property in the trees they planted. All this led to subletting (a tendency which was increased still more by the Catholic Relief Act of 1793), to fierce competition and to high rents, as well as to the system of "canting," or the putting up of farms to auction without regard to the claims of the old tenants. An increase of extravagance among the upper classes and larger tenants and a rise in the value of land had also lately become noticeable, and the raising of rents and greater subdivision of farms had followed as a natural consequence. Thus the last fifteen years of the eighteenth century witnessed a growing competition between landlord and tenant, although the salutary impetus which had been given to tillage by the Barren Land Act prevented evictions from increasing in the same proportion.

On May 4, 1795, Grattan moved his Catholic Relief Bill in the Irish House of Commons, but it was rejected by 155 to 84. The policy of the Ascendency was now disclosed, and they began to direct their whole energies to exasperating the Catholics and rousing them to rebellion. This system of exacerbation was only too successful, and at the end of 1795 Catholic Defender Riots broke out in Armagh.

Defenderism had become by this time strongly tinged with political animus, and was associating itself more decidedly than ever with the United Irish movement into which it finally became absorbed in 1797. The original test of the United Irish Society, which bound them to unite to procure the fair representation of all the Irish people in Parliament, was changed in 1795 into an engagement to co-operate for the purpose of obtaining a fair representation of all the people—the words "in Parliament" being omitted from the formula. Thenceforward separation from England and a Republican Government was the deliberate aim of the principal leaders, but not the avowed object until a little later, when, at the conclusion of every United Irish meeting, the chairman had to inform the members of each society that "they had undertaken no light matter" and to ask every delegate present what were the views of his particular society, each individual being expected to reply—"A republican government and a separation from England." The fear of fusion between the Defenders and United Irishmen led the same year to the formation of the celebrated Orange Society as an instrument of mutual defence against the members of the hostile faith, and a hot persecution of Catholics followed in Armagh, which was in reality a continuation of the old struggle between the Peep of Day Boys and Defenders and contrary to the policy of the United Irish Party, whose aim was to weld into co-operation the different

sections of the two creeds. The latter, therefore, made haste to spread the report that the Government was conniving at Orange outrages, in order to exasperate the Catholics against the men in power; and this rumour was naturally swallowed very greedily both by Orangemen and friends of the Catholics, in the one case from a desire to lighten a load of dangerous responsibility by transferring it to the shoulders of official authority, in the other as an argument for the speedy disruption of the existing political system.

In view of these disturbances a severe Insurrection Act was passed in 1796, which with a truly remarkable sense of doctrinal companionship was drawn up in such a manner as to exclude from the scope of its severity all the acts of outrage committed by Protestants. That these outrages were not imaginary is proved by the testimony of the thirty magistrates whom Lord Gosford, Governor of Armagh, called together on December 28, 1795, and who declared, with the mass of evidence at their disposal, that it was necessary to stay "the progress of the persecution now carried on by an ungovernable mob against the Roman Catholic inhabitants of this country." Lord Gosford in his written address stated that "neither age, nor sex, nor acknowledged innocence" obtained mercy. "Confiscation of all property and immediate banishment" were the doom of every Catholic. There was no parallel for the horrors and cruelty of a proscription by which "more than half the inhabitants of a populous county" were "deprived at one blow of the means as well as the fruits of their industry," and driven out "in the midst of an inclement season." Colonel Craddock who was sent by the Government to Armagh endorsed Gosford's view of the matter, declaring that the Protestants were guilty of barbarous practices which ought to be put down. Posters with the words "To Hell or Connaught" were fixed upon the cabins of the Catholics, and if the inmates declined to remove at the bidding of their persecutors they soon had to fly from their burning roofs and seek shelter elsewhere. As Edward Wakefield wrote—

"The enormities committed by the partisans of Government, at this time, were such as must disgrace our annals, tarnish the character, and stigmatize the memory of His Majesty's Ministers."

An Indemnity Act was passed at the same time as the Insurrection Act in order to safeguard the magistrates and military officers in any steps they might think it advisable to take in pushing forward the persecution. There was no effort at concealment. A certain frank brutality had always been the characteristic of dealings with the Irish race. A rebellion was

wanted, and it mattered little by what means it was kindled, or how extinguished. The chief point was that it should be sufficiently bloody. The Habeas Corpus Act was soon afterwards suspended, and the last plate inserted in the armour of Protestant ascendancy. Lord Edward Fitzgerald¹ and Arthur O'Connor had meanwhile joined the Society of the United Irishmen, as well as Thomas Addis Emmett and Dr. William James MacNeven, a Dublin physician. These four men became members of the "Executive Directory" of the Society, and the volatile Lord Edward Fitzgerald was soon afterwards placed at the head of the military forces which were organized for the purpose of a rising. These deliberate preparations for civil war—the last expedient of an exasperated people—took definite shape in May 1796, after the passage of the Insurrection and Indemnity Acts and between the two sessions of Parliament.

Rumours now commenced to reach the ears of the Government that a French invasion, to be followed by an Irish rebellion, was waiting only for a fair wind, and the enrolment of Yeomanry began apace. The invasion came in 1796. A French fleet of forty-three ships and 15,000 troops, commanded by Hoche and accompanied by Wolfe Tone, left the French coast on the 15th of December to reap one more harvest for the rights of man; but through a series of misfortunes and the absence of its leader the expedition eventually terminated in a complete fiasco. Only sixteen sail arrived in Bantry Bay, where they lay for six days within five hundred yards of the shore. Grouchy was second in command, and refused to incur any responsibility, and thus, not for the last time in his life, threw the game away.²

During the crisis the vast majority of Irish Catholics did not betray the slightest desire to rid themselves of the English yoke, but, on the contrary, openly displayed their sympathies for Great Britain, a fact which ought to have disconcerted the assurance of their Protestant foes, who had attempted to palliate the cruel persecution of the Papists through the whole eighteenth century on the ground of their incurable disloyalty to the British flag.³

On the 14th of October, 1797, William Orr was executed for his alleged action in administering the United Irishmen's oath in his own house to a soldier of the name of Wheatly. He was the first victim under the Act which made that offence a capital

¹ Appendix XIIIC, Biographical Sketch.

² Napoleon said at St. Helena—"If Hoche had landed in Ireland, he would have succeeded. He possessed all the qualities necessary to insure success. He was accustomed to civil war, and knew how to conduct himself under such circumstances. He had pacified La Vendée, and was well adapted for Ireland. If Hoche had landed, Ireland was lost to you."

³ Appendix XIV, extract from speech by J. P. Curran, and quotations from Edmund Spencer and Goldwin Smith.

felony, and there is practically no doubt whatever that he was convicted on perjured evidence and lowered into his grave a murdered man. The same year Finnerty was prosecuted for printing a letter on the 26th of October in the *Press* newspaper, signed Marcus, addressed to Lord Camden, and commenting on this travesty of justice. Curran, the famous advocate, who had stood up in Orr's defence, now defended Finnerty, and his speech on the occasion was universally considered one of the finest specimens of forensic pleading ever heard in a court of law.¹

In 1797, amid growing anarchy in Ireland, the Absentee Tax Bill was introduced in the Irish Parliament, but through the influence of placemen summarily rejected. Another proposal made by Sir Lawrence Parsons shared the same fate. He moved for the creation of a force of Yeomanry or Militia to defend the country in view of the recent French attempt to land a body of troops in Ireland, but the Government had the dread of the Volunteers in their hearts, and the proposal was defeated. The condition of the country was now becoming very ominous, and with a view to meet any sudden danger a proclamation was issued by Lake placing Ireland under martial law, of which the Yeomanry in Ulster took immediate advantage by committing nameless outrages against the Catholics, burning down houses, and killing feeble old men and defenceless women.²

During the same year, Ponsonby, with that rare fortitude which refuses to bend before continually recurring defeat, introduced a series of resolutions in favour of the admission of Catholics to Parliament, as well as various franchise reforms. His proposals, however, were once more rejected on May 15, by 170 to 30 votes, and soon afterwards Parliament was adjourned. It was on this occasion that Henry Grattan, feeling the dull weight of despair at his heart, seeing the work to be done and the impossibility of doing it, left the incorrigible house and temporarily retired from Parliamentary life. Symptoms of disaffection now began to appear among the Militia which was composed mainly of Catholics. Cornwallis,³ who was offered the military command in Ireland, conscientiously declined it on grounds of policy, for, unlike his employers, he considered that a measure of emancipation should, in the presence of this imminent Catholic danger, be at once conceded to the Papists so as to wean them in time from co-operation with the Dissenters and their own treasonable desire for revenge. Rumours for the purpose of infuriating the Catholics continued to be spread by the United Irish Party to the effect that the outrages

¹ Appendix XIV, extract from speech by J. P. Curran, and quotations from Edmund Spencer and Goldwin Smith.

² Appendix XIVA, quotations from W. N. Massey.

³ Charles Cornwallis, first Marquis and second Earl Cornwallis (1738-1805).

committed by Orangemen in Ulster were sanctioned by the Government in the hope of driving the Papists to frenzy and so to some desperate deed of vengeance, which might serve as an excuse for the annihilation of the whole Catholic community, and collisions occurred between the Yeomanry and Militia in consequence.¹

Wolfe Tone had meanwhile been at The Hague planning with General Hoche a descent upon the Irish coast, and a Dutch expedition was preparing to sail to Ireland in order to feed the revolutionary flame. It was to have been commanded by Daendels. The naval force consisted of fifteen sail of the line, ten frigates, and many sloops and transports. The land force amounted to 13,500 men, with three months' pay and spare arms and ammunition. But during July and August 1797 it remained wind-bound in the Texel, and soon afterwards the Dutch fleet was shattered by Duncan at Camperdown and the expectations founded upon it sent to the bottom of the sea. Hoche, moreover, had also died, so that the hopes of the Irish foundered in two quarters at the same time. In the early part of 1797 Arthur O'Connor had been arrested on suspicion of treason, but liberated after a confinement of six months for want of sufficient evidence. In the beginning of 1798 he went with Binns, James Coigley, and Allen to England with the intention of sailing to France, but before they could effect their purpose they were arrested. All of them, however, were acquitted, except Coigley, who was executed on account of an incriminating document which was found upon him in the shape of an address from "the Secret Committee of England to the Executive Directory of France." By this time Sir Ralph Abercromby² had succeeded Carhampton as Commander-in-Chief, and on February 26, 1798, issued his celebrated general order reflecting upon the gross ill-discipline of the army, little dreaming how rude a blast can blow from a plain truth—

"The very disgraceful frequency of courts-martial, and the many complaints of the conduct of the troops in this kingdom, having too unfortunately proved the army to be in a state of licentiousness, which must render it formidable to every one but the enemy; the commander-in-chief thinks it necessary to demand from all generals commanding districts and brigades, as well as commanding officers of regiments, that they exert themselves, and compel, from all officers under their command, the strictest and most unremitting attention to the discipline, good order, and conduct of their men; such as may restore the high and distinguished reputation the British troops have been accustomed to enjoy in every part of the world. It becomes necessary to recur, and most pointedly to attend to the standing orders of the kingdom, which

¹ Appendix XIVB, Declarations.

² Sir Ralph Abercromby (1734-1801).

at the same time that they direct military assistance to be given at the requisition of the civil magistrate, positively forbid the troops to act (but in case of attack) without his presence and authority ; and the most clear and precise orders are to be given to the officer commanding the party for this purpose."

These strictures produced, as might have been expected, a wave of rage in Government circles, and a cabal against him was accordingly hatched. An honest man had been appointed by mistake, but it must be confessed in justice to the Government that the regrettable blunder was speedily repaired ; for soon afterwards, thwarted at every step by the tortuous intrigues of unscrupulous enemies, he resigned his post in disgust, and his resignation completed the fatal policy which the recall of Fitzwilliam had inaugurated and destroyed the last possibility of averting the catastrophe of 1798. It was not wonderful, indeed, that Abercrombie was unsuited to the taste of the Ascendency. He had declared that its gentry were uneducated—"Only occupied in eating and drinking and uttering their unmanly fears. They know that they have been oppressors of the poor, and that a day of vengeance is at hand."

He stated that—"Within these twelve months every crime, every cruelty that could be committed by Cossacks and Calmucks has been committed here."

On April 23, 1798, he wrote to his son—

"The late ridiculous farce" (*i. e.* orders to crush the Catholic rebellion) "acted by Lord Camden and his Cabinet must strike every one. They have declared the country in rebellion when the orders of his Excellency might be carried over the whole country by an orderly dragoon, or a writ executed without any difficulty, a few places in the mountains excepted."

Pelham,¹ the Chief Secretary, was the next to leave Ireland. He, too, had tried to swim against the stream of corruption and persecution and the policy of goading the Irish to madness, but in vain ; and preferring to abandon his post to sacrificing his honour retired from the country on the eve of the rebellion. Castlereagh took his place at Dublin, at first in the capacity of a *locum tenens* and afterwards officially as Chief Secretary, and inaugurated that policy of political malignity which conferred upon him the rare and unenviable distinction of being, at the time of his death, equally feared and execrated on both sides of the Irish Channel. Abercrombie was succeeded by General Lake,² who immediately threw himself into the arms of those very abuses which the former had attempted to check. The

¹ Thomas Pelham, afterwards second Earl of Chichester, Chief Secretary to Lord Camden in Pitt's Ministry.

² Gerard Lake, first Viscount Lake of Delhi and Leswarree (1744-1808).

whole country was placed under martial law on March 30, and the atrocities of the military thus encouraged surpassed what can be decently set down in narrative. The country, which up till now had been comparatively quiet, was goaded to madness. Hanging and shooting were regarded as over-merciful, and fearful floggings, often a thousand lashes which tore off skin and muscles, were inflicted on the bare suspicion of anti-Ascendancy sympathies: and who, in God's name, was not entitled to such sympathies in the face of this appalling provocation? To extort confessions, the son was compelled to kneel under the father while the latter was being flogged, and the father under the son, whilst the blood spurted out upon them hot from the lash. Half-hanging was another form of torture, and picketing a third—a peculiarly diabolical invention by which the victim, strung up by one arm, was made to rest the weight of his body with bare foot upon a pointed stake. Hot pitch was poured into canvas caps which were pressed on the heads of the wretched sufferers and could not be removed from the inflamed and blistered surface without tearing off both hair and skin. To devise new methods of ingenious torture for the Catholics was the amusement of the Protestants during those leisure hours in which the body, wearied by the physical infliction of torment upon the Catholic victims, surrendered its energies to the brain. Was it extraordinary that human nature should rise up against such treatment, or that rebellion should have been embraced by the Catholics as the last escape from the extremity of their afflictions? Accumulated evidence bears witness to the sufferings of these poor people at the hands of a brutal soldiery, and the callous indifference manifested towards these outrages by the officers in command. Lord Holland, in his *Memoirs*, writes that—

“Many were sold at so much a head to the Prussians. . . . The fact is incontrovertible the people of Ireland were driven into resistance, which possibly they meditated before, by the free quarters and the excesses of the soldiers, which were such as are not permitted in civilized warfare, even in an enemy's country.”

In speaking of Wicklow, where he had been chiefly employed, Sir John Moore said—

“That moderate treatment by the generals, and the preventing of the troops from pillaging and molesting the people would soon restore tranquillity, and the latter would certainly be quiet if the gentry and yeomen would only behave with tolerable decency, and not seek to gratify their ill-humour and revenge upon the poor.”

Major-General William Napier, commenting in the *Edinburgh Review*, on the life of Sir John Moore, and the indignation always expressed by the latter at the cruelties perpetrated by

the troops, and dwelling upon his own recollections at that period, wrote—

“What manner of soldiers were thus let loose upon the wretched districts which the Ascendancy-men were pleased to call disaffected? They were men, to use the venerable Abercrombie’s words, who were ‘formidable to everybody but the enemy.’ We ourselves were young at the time; yet being connected with the army, we were continually amongst the soldiers, listening with boyish eagerness to their conversation, and we well remember—and with horror to this day—the tales of lust, and blood, and pillage—the record of their own actions against the miserable peasantry—which they used to relate.”

In the *Life of Lord Plunket* there is the following description of a deed of savagery—

“A justice of the peace for the county of Antrim, who was also a colonel of Yeomanry, added to many other vices a libertinism which he practised heartlessly among the wives and daughters of his poorer tenantry. One of his victims, a poor girl of eighteen, finding herself in a condition in which she had a claim at least for the protection of her seducer, applied to him for assistance. He not only refused this, but, on some frivolous pretext of complicity with the rebels, handed her over to his troops to be scourged. His brutal order was only too faithfully carried out. The poor woman died almost immediately after the infliction of the torture, having given birth to a still-born child.”

These atrocities, which might have shamed a Gunga Govin Singh, drove thousands of the Irish from a desperate sense of self-preservation into the asylum offered by the ranks of the United Irishmen. There was a short and ominous lull in Ulster before the storm, during which the conspiracy silently spread and the ranks of the United Irish filled, and then the great rebellion, which might never have occurred had Ireland been governed on Grattan’s instead of on Clare’s principles, and the Irish people not been hounded to desperation by a deliberate policy of cruel persecution, burst through its sluices and swept over the land.¹

During the summer of 1797 a secretly-printed newspaper appeared, called the *Union Star*, with a man named Cox as editor, and openly advocated assassination. In December 1797 Cox turned informer, and told Cooke, the Under-Secretary, that Lord Edward Fitzgerald and Arthur O’Connor were acquainted with him and approved his designs. Through the activity of

¹ Appendix XIVc, quotations from Dr. Madden, the report of the Secret Committee of Lords, and Lady Sarah Napier.

Thomas Reynolds, the Government spy, and others, the arrest of thirteen delegates of the United Irishmen took place at Oliver Bond's house on March 12, 1798. May 23 was the date finally fixed for the general rising simultaneously in the four provinces. On May 11 the Government issued a proclamation offering a reward of £1,000 for Lord Edward's apprehension, and it was this offer that led to his capture on the information either of the Government spy, Francis Higgins, known as the "Sham Squire," and proprietor of the *Freeman's Journal*, or Francis Magan, the barrister. It had been decided to seize Lord Edward on his way to visit Magan from Thomas Street to Usher's Island, where the latter lived. The Town-Major, Sirr, with this object, posted his men in two parties, so as to intercept Fitzgerald and his comrades by whichever of the alternative routes they might choose. There was a fierce scuffle, and Fitzgerald escaped to the house of Murphy, a feather-merchant, where he had been given shelter before. His freedom, however, lasted but a short time, and he was finally captured on May 19, in Murphy's house in Thomas Street. He was lying in bed, with his coat off, when Town-Major Swan and Captain Ryan entered the room. He had in his hand a weapon which belonged probably to his negro servant, consisting of a strong blade, with a double waving edge, stuck in a coarse buck-horn handle. He severely wounded Swan, and stabbed Ryan mortally in the abdomen, when a shot fired from behind the door by Sirr disabled him. While thus helpless he received a sabre-wound across the neck. He died in prison of the wounds he had received, on June 9, 1798.¹

No means were spared to stifle every suspect. Captain Armstrong, an officer of the Kildare Militia, particularly distinguished himself in effecting the conviction of two brothers named John and Henry Sheares. Castlereagh had persuaded Armstrong to dine with these men at their house in Dublin in order to take advantage of his intimacy with them and to extract from their hospitable confidence and convivial expansion of heart sufficient information to convict and hang them.² This he proceeded to do with an exemplary attention to instructions on

¹ William Cobbett told Pitt that Lord Edward Fitzgerald was "a most humane and excellent man and the only *really honest* officer he had ever known." His widow Pamela married the American Consul at Hamburg, and was afterwards separated from him. She died at length worth only £100. The Consul paid her debts, and the funeral was provided by her old playfellow, Madame Adelaide.

² John Mitchel in his *History of Ireland* has the following passage—"In his (Captain Armstrong's) interview with Dr. Madden, touching some alleged inaccuracies in the work of the latter, he denied having caressed any children at Sheares'. He said 'he never recollected having seen the children at all; but there was a young lady of about fifteen there, whom he met at dinner. The day he dined there (and he dined there only once), he was urged by Lord Castlereagh to do so. It was wrong to do so, and he (Captain Armstrong) was sorry for it; but he was persuaded by Lord Castlereagh to go there to dine, for the purpose of getting further information.'"

Sunday, May 20, 1798, sitting at the table of his hosts in the company of the two brothers, their aged mother, their sister, and the wife of one of them, who after dinner played to him on the harp. Having accumulated sufficient evidence for his purpose, the smiling fiend, gorged with food and loaded with kindness, then slunk from their roof and went out into the night. The next morning the Sheares were arrested, and soon afterwards hanged—a deed that for its low-bred and cowardly infamy has few equals in the history of any government.

The comparative tranquillity of Ulster during the greater period of the rising was due principally to the military government established there, the enthusiasm of the Orangemen, the failure of the French expedition to effect a landing, and in a minor degree, to what was considered the scurvy treatment of America by France, who had claimed the right to search and seize enemies' goods on board neutral vessels. After a period of protracted and painful suspense English reinforcements began to arrive in Ireland in June, and the rebel Irish were gradually drowned in their own revolutionary blood. No attempt was made to discriminate between the innocent and guilty. Every Catholic was deemed a traitor, every Protestant a loyalist in this carnival of butchery.

General Lake wrote to Castlereagh—

“The carnage was dreadful ; the determination of the troops to destroy every one they think a rebel is beyond description.”

Gordon, a Protestant clergyman, in his *History of the Rebellion*, says—

“I have reason to think more men than fell in battle were slain in cold blood. No quarter was given to persons taken prisoners as rebels, with or without arms.”

On July 8, 1798, Cornwallis wrote to the Duke of Portland—

“The Irish Militia are totally without discipline, contemptible before the enemy when any serious resistance is made to them, but ferocious and cruel in the extreme when any poor wretches, either with or without arms, come within their power—in short, murder appears to be their favourite pastime.”

On July 24 of the same year he wrote to Major-General Ross—

“The Yeomanry are in the style of the Loyalists in America, only much more numerous and powerful, and a thousand times more ferocious. These men have saved the country, but they now take the lead in rapine and murder. The Irish Militia, with few officers, and those chiefly of the worst kinds, follow closely on the heels of the Yeomanry in murder and every kind of atrocity, and the fencibles take a share, although

much behind-hand with the others. The feeble outrages, burnings, and murders, which are still committed by the rebels, serve to keep up the sanguinary disposition on our side; and as long as they furnish a pretext for our parties going in quest of them, I see no prospect of amendment."

More than a year later, on November 6, 1799, Cornwallis again wrote to Ross, that—

"The vilest informers are hunted out from the prisons to attack, by the most barefaced perjury, the lives of all who are suspected of being, or of having been, disaffected; and, indeed, every Roman Catholic of influence is in the greatest danger."

In two respects especially the conduct of the military compared unfavourably with that of the insurgents. It was acknowledged by friend and foe that the latter abstained to a remarkable degree from outrages on women, whilst the Protestant troops disgraced their religion as well as their humanity by their cowardly violations of female honour. The rebels, moreover, very rarely attacked any Protestant places of worship. They kept their hands from the symbols of the religion whose followers had blasted their country for a century. The church of Old Ross was probably the only one which they deliberately burnt, although in the general conflagration of a mass of meaner buildings others may have been unthinkingly destroyed or plundered. There were huge districts, however, over which not a single Catholic chapel was left standing by the Protestant troops. Not contented with rape, they glutted their cruelty with sacrilege; and Archbishop Troy drew up a list of thirty-six Catholic chapels that were destroyed in six counties of Leinster alone. Yet the Catholics were expected to reverse the human passions and fawn upon the power that so cruelly distressed them. And this was the work of the rulers of Ireland. This was the introduction to the nineteenth century, this the bloody prologue to Emmett and O'Brien, to the Fenians and Phoenix Park, and the difficulties that were to follow them. Molyneux, Swift, Lucas, Flood, Burke, and Grattan—had they all lived in vain? It seemed so.¹

Meanwhile Wolfe Tone had been in Paris urging the French Government to organize another expedition to Ireland. This third projected expedition under Kilmaine was frustrated by the impatience of General Humbert, who with a few frigates, 1,000 men, 1,000 muskets, and 1,000 guineas sailed prematurely from Rochelle. He effected a landing at Killala while the rebellion was still smouldering, on August 22, 1798, and, before his final defeat by the forces which were poured into the district every day, routed a British force overwhelmingly superior in

¹ Appendix XV, extract from a speech by Sheridan.

numbers to himself. The soldiers under General Lake ran like hares before the veteran troops of France, and the "Race of Castlebar" is generally omitted from the expurgated annals of their military glory.¹ On September 20 a fresh expedition left the shores of France. It set sail from the Bay of Camaret, and consisted of the *Hoche*, eight frigates, and one schooner under Commodore Bompert, and 3,000 men commanded by General Hardy. The fleet was dispersed by a storm, and on October 10 the *Hoche*, two frigates, and the schooner were signalled by Sir John Borlase Warren in the Bay of Lough Swilly. But before the troops were able to effect a landing they were attacked by an English squadron and defeated, Bompert fighting till the *Hoche* was a wreck. Several of the officers who were taken prisoners were brought to Lord Cavan's house on Lough Swilly, and amongst them was Theobald Wolfe Tone. Sir George Hill,² one of his old college friends, who was staying in the house, immediately recognized him and made him known; whereupon he was sent to Dublin to be tried for the crime of rebellion. John Philpot Curran, who pleaded his cause, moved for a writ of *habeas corpus*, and obtained it; but before it could reach its destination, Tone cut his own throat in prison in order to escape the disgrace of a public execution, and he died very soon afterwards from the effects. He was buried in the churchyard of Bodinstown, near the village of Sallins, about eighteen miles from Dublin. He was the ablest of the revolutionists, bold and enthusiastic; but there was a lamentable lack of judgment in his composition, and he measured the chances of success rather by the dash and recklessness of his temperament than by the unpopular rule of probabilities. His diary is so entertaining and so original, his lively humour so full of observation, that had he not been a rebel he might have been a Sterne. The fate of the other revolutionary leaders was as might have been expected. Bagenal Harvey, of Bargo Castle, and Anthony Perry, both of them Protestant gentlemen of large means and distinguished position, were publicly hanged. The two brothers Sheares, who had fallen into the trap so vilely laid for them by Captain Armstrong and Castlereagh, were also executed. McCann suffered the same fate. Oliver Bond died in Newgate, and Arthur O'Connor, Thomas Addis Emmet,³ and MacNevin were banished from the kingdom.

The rebellion was over. It had been all that could be desired, and Ireland's governors now sat down to the strains of "He's a jolly good fellow" to devise with the heartiest good-will a project for the happiness of the Irish people.

¹ Appendix XVI, quotation from Jonah Barrington.

² Some accounts say it was Sir George Hill's brother.

³ He was an able man, a brother of Robert Emmet, and afterwards became Attorney-General of the State of New York.

CHAPTER II

THE ACT OF UNION, 1801

"Such are the arguments that are used (against the Irish) both publicly and privately, in every discussion upon this point. They are generally full of passion and of error, and built upon facts which in themselves are most false. It cannot, I confess, be denied, that those miserable performances, which go about under the names of histories of Ireland, do indeed represent those events after this manner; and they would persuade us, contrary to the known order of nature, that indulgence and moderation in governors is the natural incitement in subjects to rebel. But there is an interior history of Ireland, the genuine voice of its records and monuments, which speaks a very different language from these histories, from Temple and from Clarendon; these restore nature to its just rights, and policy to its proper order. For they even now show to those who have been at the pains to examine them, and they may show one day to all the world, that these rebellions were not produced by toleration, but by persecution; that they arose not from just and mild government, but from the most unparalleled oppression."—EDMUND BURKE (*Tracts on the Popery Laws*).

DR. JOHNSON, discussing the subject of a Union between the English and Irish Legislatures, once said to an Irishman—

"Do not make an union with us, Sir. We should unite with you only to rob you; we should have robbed the Scotch, if they had had anything of which we could have robbed them."

The remark is noteworthy and forms a particularly appropriate introduction to a consideration of the Union. The learned lexicographer seems thus to have been of much the same opinion as "Junius," who wrote in the celebrated letter to the King—

"The people of Ireland have been uniformly plundered and oppressed."

In 1703, and again in 1707, the Irish Parliament had advocated a Union of the Legislatures of Great Britain and Ireland, but their proposals had been rejected with contempt, and a long period of commercial restrictions, penal laws, and complete parliamentary servitude had followed. In 1759 a report was spread that a Union was in contemplation, but so unpopular was the idea, that some of the members of the Irish Parliament were seized by the mob in Dublin and compelled to swear that they would vote against any measure of the sort. The failure of the commercial propositions in 1785 was very unfortunate for the immediate prospect of a Union, as the Irish were embittered by the mutilation of their Bill by the English Parliament, and realized that a union would probably mean a

one-sided arrangement to the detriment of their commercial interests, and might also involve an assimilation of taxation and the growth of absenteeism. Grattan, the great paraclete of their enfranchisement, had also scented in the amended commercial propositions of 1785 an embryo Union which he shrank from. In fact, before 1785, and up to the rebellion of 1798, the Irish had disliked the idea of a measure of the kind and clearly shown their aversion by the way in which they greeted and afterwards cherished the Act of Independence of 1782. English statesmen, on the contrary, began soon after 1785 to desire such a consummation, for they felt, in view of the Act of Independence of 1782 and the Renunciation Act of 1783, that it would be hazardous for the integrity of the Empire to make too many concessions to Ireland without it; and this feeling was increased after 1793, when the Catholics were given the franchise and the large political power which it entailed. The Irish Parliament of 1782, however, was, notwithstanding its anti-Union proclivities, perfectly loyal to England as a whole, and essentially an assembly of the leading landed gentry; but it was determined to preserve its independence, and this resolution was intensified during the last decades of the eighteenth century.

The recall of Fitzwilliam in 1795 gave the final impulse to Catholic disloyalty. "The cup of concession," as Sheridan said, "was just presented to their lips, but, instead of permitting them to taste it, it was dashed in their faces," and this temper was aggravated by an unfortunate passage in one of Portland's¹ dispatches, in which he remarked that the postponement of the Catholic Relief Bill would be "the means of doing a greater service to the British Empire than it has been capable of receiving since the Revolution, or at least since the Union,"—an observation which reflected the attitude of Ireland's rulers towards her, and displayed the spirit of intolerance which she was doomed to combat. Then came the Rebellion of 1798, which was so cruelly suppressed, and which several writers of distinction accused Ireland's governors of having stirred up in the belief that they would never be able to secure a Union of the two countries without a national convulsion, which would shake the social fabric to its base and thus necessitate a readjustment of the whole form of government.²

The Rebellion of 1798 and the danger of foreign invasion brought about a change of feeling among a good many persons in Ireland; for many Catholics, and in a lesser degree Protestants, were forced into a favourable view of a Union, afraid,

¹ William Henry Cavendish Bentinck, third Duke of Portland, twice Prime Minister, and at this time Home Secretary in Pitt's Ministry.

² Appendix XVII, quotation from Thomas Newenham: opinion of Miss Edgeworth.

as they were, one of the other. The germ of the idea of a Legislative Union in the mind of Pitt had already shown itself in a letter to Westmorland¹ in November, 1792, in which he said—

“The idea of the present fermentation gradually bringing both parties to think of a union with this country has long been in my mind. I hardly dare flatter myself with the hope of its taking place, but I believe it, though itself not easy to be accomplished, to be the only solution for other and greater difficulties.”

But the first formal discussion by Pitt in favour of such a step did not take place until nearly six years later, in June 1798. In a letter to Auckland² in that year he said that he had lately been discussing with Lord Granville the expediency of taking steps for carrying a Union immediately after the suppression of the rebellion. However, Cornwallis,³ in view of the great ferment of men's minds, thought it dangerous to propose the question yet, and was of opinion that, when the time came for that measure, an act enfranchising the Catholics ought to accompany it. Clare, on the other hand, hard-grained, masterful, and ambitious, was in favour of an immediate Union, and crossed over to England in October 1798 to urge it upon the Prime Minister and his colleagues, but on the one condition that Catholic emancipation should not be concurrently conceded, and his view prevailed with Pitt. From this time forward Ireland was doggedly wooed to a Union and experienced a courtship which gave her a foretaste of her married life.

About the same period Edward Cooke, the Under-Secretary in Ireland, published a pamphlet, drawn up at the desire of the Government, advocating a union of the two countries for the following reasons. He argued that great benefits had resulted from the Union of Wales and Scotland; that the great power of France would find a counterpoise in a united empire; that the British Cabinet and the Parliament sitting in London would be strongly influenced by the opinions and the ability of Irish members; that partial laws and restrictions in favour of Great Britain alone would come to an end; that the value of Irish estates would rise with the increase of security; that the Irish Protestants, being incorporated with those of Great Britain, would form a majority, and not as at present a minority; and that an opening would also be afforded to the Catholics for various

¹ John Fane, tenth Earl of Westmorland, Lord-Lieutenant from January 1790 to January 1795.

² William Eden, first Lord Auckland. At this time joint Postmaster-General in Pitt's Ministry.

³ Charles Cornwallis, first Marquis and second Earl Cornwallis: Governor-General of India during the Third Mysore War.

gratifying privileges. John Foster,¹ on the contrary, the Speaker of the Irish House of Commons, was opposed to a Union, and he had the Irish Bar on his side. One hundred and ninety-eight members of the latter met together to discuss the question on December 9, 1798, and by a majority of 134 they decided to oppose the suggestion at the present juncture on the following grounds. They alleged that the payment of priests and the commutation of tithes could be effected without the accomplishment of a Union—an argument not to be despised; that such a measure would bring in its train an increase of taxation, as the debt of England was much greater than that of the smaller island; that the Loyalists of Ireland were already as loyal as they could be, and that a Union could not make them more so; that an increase of disaffection would be caused among those classes already disaffected to the British rule; that the parallel urged between the Scottish and Irish Unions was fallacious, as the conditions were entirely different in the present case; and that the Irish Parliament would be utterly unable to carry a legislative Union in the teeth of national opposition. The opponents of a Union did not recognize, however, how greatly the revived religious and social antagonism produced by the rebellion had aggravated the difficulty of self-government in Ireland. The Catholics before 1785 had been ready to support a measure of the kind, as they looked forward to their own emancipation, the darling of their hopes, which they believed would accompany it; but after the recall of Fitzwilliam, they veered round, and between the end of 1798 and the beginning of 1799 realized that there was no chance of the boon of freedom being given to them. And they were right, for, as we have seen, Clare had influenced Pitt to effect a Union on a purely Protestant basis. This change of opinion caused Sir George Shee in 1799, one of the most active and loyal of the Irish magistrates, to advise a postponement of the measure until the agitation caused by the idea of it had subsided. But the English Government were aware that the unusual ferment consequent upon rebellion was their opportunity, and they instructed the Lord-Lieutenant to make it known that a Union would on the contrary be pressed forward. The next move was a proposal on the part of the Government to endow the Irish Catholic priests in order to gain their support for the intended Bill. The bribe would have proved insufficient in any case, but the Government were afraid of their own proposal and the suggestion was not carried out.

The Irish Parliament met in January 1799, and an amendment to the Address proposed by George Ponsonby,² and

¹ Afterwards Lord Oriel.

² George Ponsonby, afterwards member for Wicklow County in the Imperial Parliament, and made Lord Chancellor of Ireland in 1806. Died in 1817.

seconded by Sir Lawrence Parsons, advocating separate Legislatures was rejected by a majority of only one, whilst the clause in the Address respecting the intended Union was, on the motion of Parsons, defeated by five votes. Thus the independent members of the Irish Parliament were clearly opposed to a Union with Great Britain. Thereupon Ponsonby moved—"That this House will ever maintain the undoubted birthright of Irishmen, by preserving an independent Parliament of Lords and Commons residing in this kingdom, as stated and approved by His Majesty and the British Parliament in 1782." But, although Ponsonby's supporters had voted against the Union clause of the Address, they flinched at the last moment. They were afraid of estranging the Court party for ever and were tempted by Government bribes, and having observed with chagrin the change of the tide, Ponsonby decided to withdraw his motion. As Sir Henry Cavendish remarked—"It was a retreat after a victory." During the same Session the Loyalist Claim Bill was passed which charged Ireland with more than a million sterling to compensate "Loyalists" who had suffered by the insurrection. An attempt was also made to pass a "Rebel Disqualification Bill" for preventing persons who had ever taken the oath of the United Irishmen from voting for members to serve in Parliament; but the proposed disfranchisement was defeated at the second reading. Before the adjournment of the Irish Parliament the anti-Unionists introduced a Regency Bill providing that the Regency in Ireland should always be exercised by the same person who should be Regent of England. They thought thus to deprive the Unionists of their argument; but Castlereagh opposed the proposal, and the measure was rejected. It was about this time that Castlereagh wrote to Portland enumerating the Irish votes at the disposal of the Government. Although the letter was suppressed in the "Cornwallis Correspondence" as derogatory to the dignity of Government, an analysis is given of it there—

Voted with Government on the Address, or on the Report.	113
Friends absent	39
	<hr/> 152
Voted against, who had been expected to vote for (most of them having distinctly promised support)	22
Voted against or absent enemies	129
Of these might be bought off	20
Vacancies	7
	<hr/> 178

Thus leaving, according to Castlereagh, a majority of at least nineteen against the Union.

During the same year the question was debated in the English Parliament. On the 22nd of January, 1799, a message from the Sovereign recommending a Union had been delivered to the Upper House by Lord Grenville, and the same day a similar one was presented to the Commons by Henry Dundas.¹ On the strength of these Pitt brought forward the measure of the Union on January 31, and his resolutions having passed through both Houses were embodied in an address which was finally adopted by Parliament. During his speech on this occasion he betrayed a remarkable want of prescience. He said—

“Among the great and known defects of Ireland, one of the most prominent features is its want of industry and of capital. How are these wants to be supplied, but by blending more closely with Ireland the industry and capital of Great Britain?”

How well the blend has succeeded may be seen throughout the whole history of the nineteenth century. But Pitt possessed a curiously small measure of political foresight for such an astute politician, and this instance of his shortsightedness does not stand alone. For he was the statesman who reduced the revenue of his country and the resources of the Exchequer a few months before the most expensive war in English history, and the financial prophet who cut such a sorry figure in the sinking-fund scheme. Has the reader perchance ever perused the younger Pitt's speeches? If not, let him pause before adventuring upon them. The author unfortunately has read them hoping to find therein some matter of entertainment or instruction; but hardly a sentence or a phrase has remained even involuntarily in his recollection. Cold, formal, stately verbiage, they were the image of the man himself—intellect without genius, ambition without enthusiasm, scholarship without originality, pride without passion, and morality without love.

The English Government were now beginning to be afraid lest the Castle should make concessions to the Catholics, and thus neutralize one of the reasons which inclined the latter to support a Union. They also feared lest the Protestants should join hands with the Catholics and promise to secure emancipation for them in return for Catholic help in fighting the Union. These considerations made Ministers all the more anxious to accelerate the negotiations with the Irish Parliament and effect their desired object before any complications could arise.

¹ Henry Dundas, first Viscount Melville. Impeached by the Commons in 1805, but acquitted by the Peers.

Castlereagh, therefore, who had succeeded Pelham as Chief Secretary, followed in Pitt's footsteps, and argued in favour of a Union that in the future England could not defend Ireland for nothing, and that the latter country would have to contribute towards the cost of wars and other eventualities, which she would not willingly do, unless she possessed members sitting in the Parliament of England who would represent her on the spot and be able to influence the discussion of those matters which touched her interests. Foster, on the other hand, keeping to his original opinions, maintained that the legislation of 1782 and 1783 was a final adjustment of the relations between the two countries; that, as the Cabinet in England was answerable to the British nation that no Irish law injurious to the Empire should receive the Royal Assent, the Union was unnecessary as a safeguard in this respect; that an Irish Parliament on the spot was much more alive to the welfare of the Irish people than any number of Irish members sitting many miles away in London; and that, as there had been enormous commercial progress since the Act of Independence of 1782, there was sufficient evidence on this score alone to prove that the Irish Constitution since that date was all that could be wished for.

It was about this time that the old houghing outrages reappeared, and many districts suffered severely from them. They were largely owing to the memory of the military enormities during the suppression of the rebellion, as well as to the rack-rents, and the insatiable greed of the middlemen who devoured the substance of the poorer classes. As a consequence of the disorder a Coercion Act was passed in 1799, which placed Ireland at the will of the Lord-Lieutenant formally and legally under martial law, notwithstanding the activity of the ordinary courts of justice which remained open as usual. Soon afterwards, in the same year, a Regency Bill was brought forward in the Irish Parliament in order to supply an omission in the law observable in 1798 and also for the purpose of destroying part of the case for a Union. It asserted in the strongest terms the dependence of the Crown of Ireland on that of England and the inseparable connection of the two countries, and enacted that the person who was *ipso facto* Regent of England should always be, with the same powers, Regent *de jure* in Ireland. The Bill was, however, on the motion of Castlereagh, who particularly disliked any addition of argument to the armoury of the anti-Unionists, ultimately postponed.

Shortly before the prorogation of the Irish Parliament an Act of Indemnity had been passed at the instance of the Government, and without the least opposition, for the purpose of shielding such miscreants as Thomas Judkin Fitzgerald from the penalties of the law. This scoundrel, a Protestant magistrate

of Tipperary, had made it his usual practice during the rebellion to whip, torture, and murder Catholics without the slightest semblance of proof or even probability of guilt. His customary method was to seize persons whom he chose to suspect of revolutionary tendencies, or whom he wished from a cold-blooded malice to maltreat, and by dint of the lash and threats of a horrible death to extort from them in their agony of mind and body confessions of imaginary guilt or accusations of other persons. In the case of a certain Mr. Wright he commanded his victim to be torn with 500 lashes and then to be shot; but during the actual process of scourging it turned out from a paper found upon the person of the sufferer that the latter was wholly innocent of the offences imputed to him. Fitzgerald, nevertheless, ordered the lashing to be continued, till at length the quivering entrails of the victim became visible through the lacerated flesh. The hangman was then urged to apply his thongs to a part of the body that had not yet been flayed, while Fitzgerald himself hurried off to procure an order from the commanding officer to put his prisoner to death.¹ This, however, was not granted, and Wright was ultimately set at liberty. When Fitzgerald stood at length upon his trial for his manifold offences, the character of the man became even more apparent than before. He had the shameless audacity to name with exultation several persons whom he had flogged under still more aggravated circumstances, and mentioned one man who had cut his own throat in order to escape the horrors and ignominy of undeserved torture. But in spite of this phenomenal depravity he was acquitted. The Act of Indemnity, thanks to the maudlin compassion of a Protestant Parliament, shielded him from the arm of justice, and on being recommended for his signal services to the special favour of the Crown he was created a Baronet of the United Kingdom with a considerable pension. Although Fitzgerald's case was peculiarly notorious, it was proved beyond a doubt that many other Protestants in a position of authority had caused Catholics to be cruelly tortured, and that the custom was a common one.²

Complaints now arose that the priests were forcing Catholic peasants to withdraw their children from Protestant schools, and whether these were well founded or not, they contributed to the fuel which was feeding the desire of the English Government for a settlement of the great question, and an Address in favour of the Union passed the English Parliament about this time without any opposition. The instrument of bribery was also employed with unscrupulous and unflagging zeal. Cornwallis

¹ An order as cruel as that ascribed to Caligula by Suetonius—" *Ita feri ut se mori sentiat.* "

² Appendix XVI B, quotations from W. N. Massey, Dr. Madden, and Lord Cornwallis.

wrote to Alexander Ross, Surveyor-General of the Ordnance, on May 20, 1799, that it was the wish of his life to "avoid all this dirty business," and on January 21 he wrote to the same man—

"My occupation is now of the most unpleasant nature—negotiating and jobbing with the most corrupt people under heaven. I despise and hate myself every hour for engaging in such dirty work. . . ." ¹

These were the means the Government employed to force the union of the two Legislatures. They were not unversed in the art. A long succession of Ministers had been past-masters in corruption, and now their tool, up to his elbows in this shameful commerce, though loudly lamenting the dishonourable part he had to play, was still not ashamed to play it. An accommodating sense of duty and an easy political virtue led directly to riches and to place, and peerages and offices were lavished among the supporters of the Government with as much regard to personal merit as when a carcass is flung to a pack of wolves to keep them busy awhile. Provision was made in addition that compensation should be allowed to the holders of Irish nomination boroughs, and everything in the gift of the Crown in Ireland was devoted without stint to the single-minded object of buying placemen and bribing the owners of influence. The recalcitrant, on the other hand, were got out of the way, Sir John Parnell, one of the most stubborn of the opponents of a Union, being stripped of his office of Chancellor of the Exchequer. Pitt was even huckstering for petitions in favour of the Union in order to put a decent colour on the jobbery, but, like some too prosperous-looking beggar, he returned almost empty handed. There was plenty of the article against the measure, but scarcely any for it.²

At all costs the Union must be pushed forward, for without it English Ministers believed that the disaffected Irish would succeed in effecting a separation between England and Ireland, and this fear was the real foundation of the policy they had set themselves to carry out. Meanwhile there was a wide-spread anxiety in Ireland lest a Union should bring with it equality of taxation in the two countries, that is to say, the raising of the taxation of Ireland to the much higher level of that of England. On January 15, 1800, commenced the memorable last session of the Irish Parliament, and Grattan, who was now but the shadow of his former self, made his re-appearance, wrapped in a blanket and supported by two members, in order to follow the corpse of the old assembly to the grave. Although weak with illness, he

¹ Appendix XVIc, further extracts from letters of Cornwallis.

² Appendix XVII, extract from speech by Lord Grey.

was still full of the old fire, and poured forth his eloquence on Sir Lawrence Parsons' amendment to the Address in favour of maintaining an independent Parliament. But Parsons' amendment was rejected by a majority of forty-two. Meanwhile the Irish Government insisted that the maintenance of the Irish Established Church should be made an article of distinct treaty obligation, and guaranteed as a fundamental portion of the compact under which the Union was to take place. A message not long afterwards arrived from the King recommending a Union, which was delivered to the Parliament by the Lord-Lieutenant; and Castlereagh in an elaborate speech brought forward his Union resolutions. Grattan opposed the committal of the Bill on May 26 with consummate eloquence, and crowned a noble oration with one of his noblest perorations.¹

But it required more than eloquence to snatch the prize from the briber. It had not been without a deal of greasing that the Parliament had surrendered its independence, and was one man's probity to restore it? It was not likely. The Ministers had fouled their hands, and the Irish members were traitors, but they were not bad business men over a deal, and the money having changed pockets, the bargain was closed. Castlereagh's resolutions, therefore, were carried in the Irish Commons; whilst Clare's resolutions to the same effect passed with even less difficulty through the Irish House of Lords. Thus the die was cast in Ireland in spite of Grattan's patriot speeches and another eloquent oration by Foster as a last tribute to the cause. The Union had been smuggled out of Pitt's desk under a heap of titles and other patronage, and when sufficient bribes had been stuffed into the mouths of gaping Irish members, a passive and purchased senate had duly recorded its mercenary vote. The Articles of Union having passed both Houses of the Irish Parliament were sent to England for ratification, and after being agreed to were returned to the Irish Parliament for the final stages. It was at the death-bed of the Irish Parliament that William Conyngham Plunket, who afterwards became Lord Chancellor, made a celebrated speech denying the competency of Parliament to abolish the

¹ Appendix XVIII, extract from speech by Grattan.

Grattan's speeches as literary efforts are not of the highest order. They are not profound, neither are they very polished. But as rhetorical masterpieces they are in the first rank. Poetical, graphic, ebullient as a mountain stream, by turns declamatory, pathetic, pleading, scornful, witty—they sweep almost every chord of the human passions, and there is no orator in the English tongue whose orations read aloud can impress an audience more with their vivid imagery than those of Grattan. When we have said this, we have said nearly everything. Their weakness is a surcharge of antithesis, an exaggeration of sentiment, a tenuity of fibre, an occasional shallowness of reasoning, and a judgment dominated by the orator's art. But Grattan's is a great name symbolic of tumultuous and patriotic eloquence, and as such is worthy of honour.

Irish legislature.¹ The arguments he used were unanswerable. The Act of Union was unconstitutional to the core. The Irish Parliament had been elected for certain purposes of government, and no other, and they could no more annihilate their own existence and the power of the people to elect them or any other representatives they might choose, without submitting such a policy for their country's consideration, than a landlord's agent would have the right to give away his property to a stranger. And did we hear that an agent had been so wanting in the knowledge of his craft and the principles of property as to commit such an act, we should expect to see the landlord summarily eject the adventurer and resume his land. He would have the right to do so, and would be a fool if he did not.²

The Irish Opposition now took the opportunity to present an address against the measure to the English Parliament, in order to place a record of their case upon the journals of that house. But the address was rejected, and was in truth but a half-hearted demonstration from the first. In fact, the growing apathy of the Irish nation was the only condition which made it at all possible for the Union to be carried, and this is one of the most curious features of the time. Clare once said that the Irish were "a people easily roused and easily appeased," and this trait was never more clearly shown than at the election which took place after the Union, when the question does not seem to have held any prominent position among the other

¹ Appendix XVIIb, extract from speech by Plunket.

² Fox said at the Whig Club during the debates on the Union—

"The whole scheme (the Union) goes upon that false and abominable presumption that we can legislate better for the Irish than they can do for themselves—a principle founded upon the most arrogant despotism and tyranny. . . . There is no maxim more true in philosophy or politics than the great moral doctrine, 'Do as you would be done by.' What Englishman would submit to see his destiny regulated and his affairs conducted by persons chosen for Belfast or Limerick? . . . We ought not to presume to legislate for a nation, in whose feelings and affections, wants and interests, opinions and prejudices, we have no sympathy. It can only be attempted on the principle of the most arrogant despotism."

Fox's speeches were so imperfectly reported and have been confided in so truncated a condition to the care of posterity, that little literary pleasure is now to be derived from them. But his oratorical style could never have been highly wrought. His ideas started from him like a torrent, issuing from his heart rather than from his reason, and whatever shape they may have assumed in the furnace of his passions was due more to nature than to study. He had no time to gild the statue of Liberty when its destroyers were battering the pedestal. His ardent soul and large humanity could not be riveted by formalism. They scorned the elaborate and vapid periods of a Pitt, and his enthusiasm, like a broad and swift river welling up from its deep source, gathered its forces as it flowed, and poured its impetuous volume in unconscious power and sublime prodigality in defence of the poor, the feeble, and the oppressed. Generosity, truth, courage, and hatred of injustice, under whatever form, were the chief characteristics of Fox's speeches. They were admirably adapted to the moment of their delivery, and for that very reason it is improbable that, could we even restore them in their original integrity, they would perceptibly add to his reputation. That reputation rests upon a more stable basis—the contemporary testimony of friend and foe.

controversies, and it was stated that not a single member who had voted for the Union was for that reason deprived of his seat. But the riddle is explicable. The Catholics believed that emancipation was assured to them. They had kept their hands off the Bill of Union on the faith of a Minister's word, and it was not until some time after its consummation that they discovered their betrayal.

The measure finally passed through its last stages in the Irish Parliament, and then the English one, and received the Royal Assent in 1800; the occasion being made use of to drop the gratifying but false title of "King of France." The Act of Union, in the shape in which it eventually became law, left, as before described, the expectations of Catholic Ireland out of its scope. It made no provision for the commutation of tithes, nor for the endowment of the Catholic priesthood, nor was the question of Catholic Emancipation even referred to. Bribery had done its work, and Pitt in order to insure the passage of the Bill had even gone so far as to let it be distinctly understood by the Catholics that no measure of relief would ever be permitted to become law in an *Irish* Parliament. Castlereagh had also been informed by his employers that the principle of Catholic Emancipation was approved by the Cabinet, and Cornwallis on the strength of these and similar assurances had not hesitated to call forth all available support on behalf of a Union. That is to say, the Catholic Irish were deluded into the belief that the Union was to be made the door to their liberty, and Pitt deliberately gained his end by the aid of shameless corruption and those promises which he knew perfectly well would never be fulfilled.¹ But Pitt's hints and promises, on the faith of which the Irish Catholics had surrendered a Constitution, proved to be mere dust thrown in their eyes, a crutch thrown to a cripple to help him out of the way, and then broken across his shoulders when of no more use. It was not, therefore, to be expected that the Irish would regard with any particular affection the motherly features of the British Constitution, or be eager to implant in the breasts of their children a traditional respect for the august code of British honour. They would be more likely, unfortunate and mistaken creatures, to conjure their children to follow in the

¹ This is clear from what Lord Clare wrote to Castlereagh before the measure was introduced—"I have seen Mr. Pitt, the Chancellor, and the Duke of Portland, who seem to feel very sensibly the critical situation of our damnable country and that the Union alone can save it. I should have hoped that what has passed would have opened the eyes of every man in England to the insanity of their present conduct with respect to the Papists of Ireland, but I can very plainly perceive that they were as full of their Popish projects as ever. I trust and hope I am not deceived that they are fairly inclined to give them up and to bring the measure forward unencumbered with the doctrines of emancipation. Lord Cornwallis has intimated his acquiescence on that point, and Mr. Pitt is decided on it."

steps of the gallant Volunteers; to regard the rulers of Ireland as a sort of syndicate, in which fraud was only considered dishonest and jobbery reprehensible when detrimental to the members in their corporate capacity, and where lust of money and contempt for any character different to their own was taken for prudence and a sure proof of patriotism—a syndicate, in fine, from whom concessions to justice and morality could never be extorted except under the influence of interest or fear.¹

By the Act of Union, which was to take effect from the first of January 1801, the Irish House of Lords was abolished, but it was provided that Ireland was to be represented in the Imperial Upper House by twenty-eight Peers elected for life and by four Prelates of the Established Church; whilst the Irish Peers were to retain their titles. The Irish House of Commons was also extinguished, together with two hundred of the Irish seats; but the Irish counties were to return sixty-four, and the Irish boroughs and University thirty-six members, that is to say, a hundred members in all to the Imperial Parliament; the huge sum in compensation to the Irish borough-mongers on the loss of their seats being charged to the Irish National Debt. At the same time all prohibitions and bounties on the export of articles, the growth, produce, or manufacture of either country, were removed. The perpetual maintenance of the Established Church of Ireland was made a fundamental part of the Union. In regard to the future financial arrangements of the two countries, Pitt resolved to "assimilate Great Britain and Ireland ultimately in finance," and the Act accordingly provided that Ireland should contribute $\frac{1}{7}$ ths of the whole expenditure of the State, or about 12 per cent.; which thus left England and Scotland to contribute on their side about 88 per cent. The treaty also empowered Parliament, should the debts of Great Britain and Ireland be extinguished, or the contributions thus adjusted become to the debts in the same proportion, to change the present order of things, and bring Ireland under the existing fiscal system. This procedure, however, was to be expressly subject to the proviso that Ireland, and, indeed, Scotland, should have special "exemptions and abatements" of taxation, were the circumstances of the case to require it; that is to say, as Pitt and Castlereagh frequently stated, Ireland was not to be unfairly taxed out of proportion to her resources. In accordance with the bargain which had been struck with the Irish Parliament, a sum of £1,260,000 was distributed among the proprietors of 84 disfranchised boroughs, returning 168 members; £7,500 being the amount awarded for each seat. Every member who had paid for this seat had the purchase money returned by the

¹ Appendix XVIIIC, extract from speech by Charles Kendal Bushe, etc.

Government. Twenty-two Irish peerages were also created; five Irish peers received English peerages, and twenty-two peers were advanced to higher titles in the Irish peerage. A multitude of other offices, honours, and emoluments were likewise scattered among the supporters of the Government.

In this manner was bought with money, place, and promise the celebrated Irish Union, which Curran predicted would mean the emigration of every man of consequence from Ireland, a participation of British taxes without British trade, and the extinction of the Irish name as a people.¹ The sting in the wound was not so much that Ireland had been deprived of her Parliament, but that her rulers had bribed her own representatives to betray her. She never forgot this, and it seemed to be a sort of judgment upon the conduct of those rulers on that occasion that for many years she infected their Parliament at Westminster with the least worthy element of the Irish nation.²

The persuasion of the Irish people that "Catholic Emancipation" would follow the Union had secured the neutrality of the Irish Catholics and rendered it possible to carry the measure. The scales were not long in falling from their eyes. Pitt brought the question of emancipation before the Cabinet soon after the passage of the Bill, but the King, influenced by Lord Loughborough and others, declared himself against all concessions, and the Minister, with loyal consideration for the King's health, promised that he would not again urge the question during the reign, and thereupon, hoping to save what remained of his honour, resigned. After this he continued to support an anti-Catholic Ministry with Henry Addington,³ a man of straw, at its head. Cornwallis, the Lord-Lieutenant, had meanwhile taken upon himself to assure the Irish Catholics that Pitt, and those with him, had pledged themselves not to take office again except on the condition of the Catholic demands being granted. He had, it is true, no authority for making this statement, but it was not contradicted by Pitt at the time, as it should have been, and the latter shortly afterwards offered to resume office and to abandon without a scruple his policy of Emancipation. Thus the Catholics were once more thrown over as in 1785, and once again the policy of the inexorable Clare prevailed, a man whom several historians have sought to enshrine as a specimen of sagacious statesmanship. The entire transaction was

¹ Appendix XVIIId, quotations from W. E. H. Lecky and R. B. Sheridan.

² This was foreseen by Grattan, who, with a prescience as remarkable as that of Burke, who foretold the advent of Napoleon, once remarked to an English gentleman—"You have swept away our Constitution; you have destroyed our Parliament, but we shall have our revenge. We will send into the ranks of *your* Parliament, and into the very heart of *your* Constitution, a hundred of the greatest scoundrels in the kingdom!"

³ Henry Addington, first Viscount Sidmouth (1757-1844).

admittedly a fraud, an undisguised piece of trickery and sharp practice on the part of one who has been long held up to admiration as the most immaculate Minister that this country, or any other, has produced.¹ The whole of Pitt's action was, in fact, of a piece. He was a man who loved power more than the principles of strict honour. He studied the barometer of public opinion and felt the pulse of national temper with infinite solicitude to adjust himself to them, and when he had done that he thought that he had done all. Power was the breath of his nostrils, the blood that flowed in his veins, and the idol he worshipped in the solitude of his chamber. The world still admires his Parliamentary courage and ability, but hesitates to praise the methods of his ambition. It does not read his speeches, nor treasure his sayings, nor curiously inquire into what manner of man he really was, and for this reason, that he was essentially lacking in that human interest which is the universal test of a great man, and markedly deficient in that imagination, without which true genius cannot exist, or at least is very soon forgotten.

The effect of the Union upon the relations between the native Irish and the Colonists at once made itself discernible. On several occasions in the eighteenth century the two parties had joined hands for the purpose of forcing a reform upon the Orange faction and the Castle junto of the day. After 1800, however, the Colonists severed themselves entirely from the native Irish, and throwing in their lot with England unreservedly resisted all demands for reform made upon her. This momentous result of the Union left the native Irish without support, and delayed by half-a-century several of the remedial measures, which, had they been passed in time, might have arrested the stream of emigration and the swelling tide of anarchy and hatred, and converted the reproach and shame of Ireland's rulers into an asset worthy of a moneyed nation.²

The consolidation of the Irish and British Exchequers was deferred until 1817, and a short discussion on this subject will not be out of place at the end of a chapter upon the Union. The revenue of Ireland amounted in 1800 to rather more than three millions, whilst her expenditure exceeded six and a half, and the Irish Government had, therefore, been dependent for some time on the assistance of the British Exchequer, which had remitted one and a half millions to it in 1798, two millions to it in 1799, and three millions in 1800. As the Irish debt at the time of the Union bore but a very small proportion to the British, only one-fourteenth, it was held that the Exchequers, each of which had their separate chancellors, could not be imme-

¹ Appendix XVIIIE, quotations from W. E. H. Lecky and W. E. Gladstone.

² Appendix XVIIIF, quotation from Sydney Smith.

diately amalgamated and the same system of taxation introduced in both countries, without doing injustice to Ireland by throwing upon her the burden of contributing to the charges of the heavy debt that had been accumulating for years in Great Britain. Two tests were therefore applied for ascertaining the capacity and resources of Great Britain and Ireland respectively :

1. A comparison of the average annual values of the imports and exports, which resulted in a proportion of nearly 7 to 1.

2. A comparison of the values of certain dutiable articles of consumption, as used in each country, which resulted in a proportion of about 8 to 1. The combined results of these two tests furnished a proportion of 1 to $7\frac{1}{2}$ or 2 to 15. It was argued at the time by the opponents of this proportional result, and several of the Royal Commissioners in 1896 agreed with them, that the calculation was fallacious for at least two reasons: (a) because it reckoned as permanent annual Irish expenditure the temporary military charges, amounting to ten millions, in connection with the insurrection of 1798 and the steps leading up to the Union, as well as so much of the cost of the French war as happened to be incurred in Ireland, and (b) because it left out of the British expenditure the great annual British charge for debt, amounting to fifteen millions. If these had been taken into consideration, so they said, the proportion would have shown itself to be not 1 to $7\frac{1}{2}$, but 1 to 18. The critics, however, had to bow before superior Parliamentary strength. The proportion of 1 to $7\frac{1}{2}$, or 2 to 15, was to remain in force for twenty years, if the Exchequers had not been amalgamated before that time. That is to say, Great Britain was to contribute fifteen and Ireland two parts ($\frac{2}{17}$) of the sum required for the joint expenditure of the United Kingdom, whilst each country was to bear the burden of its own debt. Parliament, however, was to be free to alter this proportion of contribution after the lapse of twenty years, and thereafter at intervals of not more than twenty or less than seven years; and if, in the meantime, the "debts of Great Britain and Ireland should become to each other in the same proportion with their respective contributions," it was to be at liberty to complete the union of the two countries by declaring that all future expenditure should be defrayed indiscriminately by equal taxes imposed on each.

Now, the principle of meeting the expenditure of the year by revenue raised within the year had been adopted more completely by the British than by the Irish Government, and it was hoped that the reduction of the British debt would bring about such a proportion between the two debts as would in due course permit the Exchequers to be merged. At the same time it was not overlooked that, if the war continued, the proportion might be effected by the greater comparative increase of the Irish

rather than by the reduction of the British debt. As a matter of fact, it was the latter contingency which occurred. Irish debt grew until it bore to the British debt the proportion of 1 to $7\frac{1}{2}$, and the amalgamation of the Exchequers took place in 1817, three years before the time allotted for the revision of the terms of contract. In 1811 it had been reported that the Irish portion of the debt was nearly $\frac{1}{7}$ ths of the whole, so that the foreseen development had all but taken place. But the reform was deferred. By 1815 the expenditure of Great Britain had increased from fifty-one millions in 1800 to ninety-one millions, and that of Ireland from six and a half to nearly fifteen millions. The gross revenue of Great Britain during the same period had risen from thirty-one and a half to seventy-eight and a half millions, and that of Ireland from three to six and a half millions; whilst the charge of the English debt had mounted from sixteen and a half to twenty-eight, and that of Ireland from one to over one and three-quarter millions. Thus, in 1815 the Irish debt constituted more than $\frac{2}{17}$ ths of the entire liability of the United Kingdom. The two conditions upon which financial consolidation was dependent were therefore declared to be fulfilled by a Select Committee in the House of Commons in 1816, and a Bill consolidating the debts and public revenue of the two countries was introduced on June 13, 1816, and received the Royal Assent on July 1. From January 5, 1817, all revenues in Great Britain and Ireland were to constitute a general fund, known as the Consolidated Fund of the United Kingdom. Ireland ceased to be separately liable for the charge of the Irish debt, or to contribute to joint expenditure in a fixed proportion, and the produce of Irish taxes, whatever they might be, was to be held to discharge her liability.

The amalgamation was certainly a relief to the poorer country, but it was a relief from burdens imposed upon her by the Union, and it is to be remembered that, if Great Britain was henceforth to share the debt of Ireland, the latter was also to participate in the burden of the pre-Union debt of Great Britain, from which she had hitherto been free. It must also be borne in mind in connection with the taxation imposed on Ireland during the next hundred years, that there was a proviso in Article 7, paragraph 8, of the Act of Union to the effect that the imposition of such taxation should be "subject to such particular exemptions or abatements in Ireland and Scotland as circumstances may appear from time to time to demand." Pitt himself fully realized that Ireland ought to be fairly treated in this respect. In fact, he had expressly stated during the course of the debates in 1785 on the commercial treaty then pending between Great Britain and Ireland, that "the smallest burthen on a poor country was to be considered when compared

with those of a rich one, by no means in a proportion with their several abilities ; for, if one country exceeded another in wealth, population, and established commerce in a proportion of two to one, he was nearly convinced that that country would be able to bear ten times the burthens that the other would be equal to." These considerations, however, were neglected, and, in fact, during the next eighty years seem to have been totally forgotten.

Although the consolidation of the Exchequers took place in 1817, it was found necessary, in order to conciliate various mercantile interests, to continue for a time certain protective duties, and up to 1823 Ireland possessed a distinct system of customs.¹ The rates of duty on tobacco were equalized in 1819. Stamp duties, which had been generally lighter in Ireland than in England, were assimilated by Peel in 1842, but a reduction took place in them both in Great Britain and Ireland in 1850, which went to counterbalance the increase of the Irish duties in 1842. In 1853 Gladstone, in order to relieve the burdens on manufactures and articles of consumption in Great Britain, extended the income-tax to Ireland, a step which Peel had abstained from taking in 1842, and he also increased the rate of the spirit duty. In 1819, the Irish spirit duties were 5s. 7½d. a gallon ; in 1835, 2s. 4d. ; in 1858, they were assimilated to the English duty of 8s., almost completing the equalization of taxation in Great Britain and Ireland ; and towards the end of the century they stood at 10s. 6d. In compensation for these additional burdens on Ireland he extinguished a capital debt amounting in 1853 to over four millions. This debt had been converted into terminable annuities lasting as to three-fourths for forty years, and as to one-fourth for various periods of from ten to thirty years. It had been contracted mainly for the relief of the poor during the great Irish famine, and ought to have been remitted anyhow ; for a Select Committee of the House of Lords, who made an exhaustive inquiry into the whole matter in 1852, reported that not only had a great proportion of the expenditure been quite useless, but that some of it had been most mischievous, causing more harm than good, and that, taking all the circumstances of the case into consideration, a remission of at least half the amount was required. Gladstone, however, disregarded this report, and, as it eventually turned out, more than five times the capital value of the annuities was collected under the income-tax in Ireland by the middle of the last decade of the nineteenth century ; so that the extinction of the capital debt of four millions as compensation for the imposition of the income-tax has proved scarcely any relief at all.

¹ The consolidation of the three Pension Lists of England, Scotland, and Ireland was effected in 1830.

As a result of these financial operations between 1850 and 1860 the permanent taxation of Ireland was raised by two and a quarter millions per annum, a far higher percentage of increase than in Great Britain; whilst the proportion of the Irish to the British revenue, which in the first sixteen years of the century was between $\frac{1}{18}$ th and $\frac{1}{14}$ th, rose in the years after 1852 to $\frac{1}{10}$ th or $\frac{1}{8}$ th. There was not only nothing in the circumstances of Ireland to justify this increase, but her social and economic condition was such as imperatively demanded a diametrically opposite policy. For during the preceding decade the poor law system had been established in Ireland, involving an immense increase of local rates; the Corn Laws had been repealed, causing the rapid destruction of the Irish export trade in cereals; Ireland had suffered great losses through the potato disease and its consequences, such as a vast diminution of population; and a great decline had been taking place in her manufacturing industries. In fact, the treatment meted out to her was the very reverse of the pledge given by Ministers at the time of the Union that Ireland should have special "exemptions and abatements" of taxation, and should not be unfairly taxed out of proportion to her resources. But party pledges are like lovers' vows, and seldom conform to the ordinary rules of morality.¹

¹ See the joint and separate Reports, as well as the Minutes of Evidence of the Royal Commission on the Financial Relations between Great Britain and Ireland, 1896.

CHAPTER III

CATHOLIC EMANCIPATION, 1829

"It (the Penal Code) was intended to degrade and impoverish, to destroy in its victims the spring and buoyancy of enterprise, to dig a deep chasm between Catholics and Protestants. These ends it fully attained. It formed the social condition; it regulated the disposition of property; it exercised a most enduring and pernicious influence upon the character of the people, and some of the worst features of the latter may be traced to its influence. It may indeed be possible to find in the Statute-books both of Protestant and Catholic countries laws corresponding to most parts of the Irish Penal Code, and in some respects introducing its most atrocious provisions, but it is not the less true that that code, taken as a whole, has a character entirely distinct. It was directed not against the few, but against the many. It was not the persecution of a sect, but the degradation of a nation. It was the instrument employed by a conquering race supported by a neighbouring power to crush to the dust the people among whom they were planted, and indeed when we remember that the greater part of it was in force for nearly a century, that the victims of its cruelties formed at least three-fourths of the nation, that this degrading and dividing influence extended to every field of social, political, professional, intellectual, and even domestic life, and that it was enacted without the provocation of any rebellion, and in defiance of a statute which distinctly guaranteed the Irish people from any further persecution on account of their religion, it may justly be regarded as one of the blackest pages in the history of persecution."—JAMES ANTHONY FROUDE.

DR. JOHNSON once exclaimed to Boswell—

"The Irish are in a most unnatural state; for we see there the minority prevailing over the majority. There is no instance, even in the ten persecutions, of such severity as that which the Protestants of Ireland have exercised against the Catholics. Did we tell them we have conquered them, it would be above-board; to punish them by confiscation and other penalties, as rebels, was monstrous injustice."

Now Johnson was a Tory, and may have been predisposed to regard the Catholics of Ireland with an exaggerated affection induced by pity for their treatment at the hands of his own party. But Brougham¹ was a versatile Whig of a vastly different mould; and what was his opinion of the matter? On bringing forward a motion, in 1823, in regard to the administration of the law in Ireland, he said—

"The law of England esteemed all men equal. It was sufficient to be born within the King's allegiance to be entitled to all the rights the

¹ Henry Peter Brougham, Baron Brougham and Vaux, Lord Chancellor of England.

loftiest subject of the land enjoyed. None were disqualified ; the only distinction was between natural-born subjects and aliens. Such, indeed, was the liberality of our system in the times which we called barbarous, but from which, in these enlightened days, it might be as well to take a hint, that if a man were even an alien-born, he was not deprived of the protection of the law. In Ireland, however, the law held a directly opposite doctrine. The sect to which a man belonged, the cast of his religious opinions, the form in which he worshipped his Creator, were grounds on which the law separated him from his fellows, and bound him to the endurance of a system of the most cruel injustice."

The history, forsooth, of the Roman Catholics in Ireland during the eighteenth century is instructive to a student of national character as showing the capacity for blundering possessed by some people, as also the want of moral principle, the ignorance and the intolerance of men who actually regarded themselves as the true and only type of what a nation of gentlemen should be.

The penal laws against Catholics, which existed in the time of Charles II, had never been very oppressively observed. By the letter of the law Catholics had been excluded from corporations and from certain civil offices; they had been subject to fines for non-attendance at the places of worship of the Established Church on Sundays; and the Chancellor had the power of appointing a guardian to the child of a Catholic parent.¹ The Treaty of Limerick followed in 1691. By the first article of Limerick, the Roman Catholics were to enjoy such privileges in the exercise of their religion as were consistent with the laws of Ireland, or as they enjoyed in the reign of Charles II, whilst further security was hereafter to be afforded them. By the second article, all the inhabitants or residents of Limerick or any other garrison, all officers and soldiers then in arms in various counties, and all such as were under their protection in those counties, were to hold possession of their estates and all rights and titles which they had held under Charles II, whilst all persons were to be allowed to practise their several callings as freely as they had done under that monarch. This was fair enough; but Dopping,² Bishop of Meath, proclaimed from the pulpit that Protestants were not bound to keep faith with Papists; whilst Lord Chancellor Bowes and Chief Justice Robinson declared from the Bench that the law did not even suppose any such person to exist as an Irish Catholic. The Protestants were not slow to take the hint. The Act of 1695, in spite of the declarations contained in the

¹ Six penal laws against recusants had been in force before the time of William of Orange. Between the seventh year of William's reign and the twenty-ninth of that of George II twenty-four Acts were passed against the Catholics.

² Anthony Dopping, D.D. (1643-1697), bishop successively of Kildare and Meath.

Articles of Limerick, deprived the Roman Catholics of the power of educating their own children either at home or abroad, and of the privilege of being guardians either of their own or of any other person's children. Another Act of the same year took away from them their right of possessing or bearing arms, or of keeping any horse worth more than £5, and a later one of 1697 ordered the expulsion of every Roman Catholic priest from Ireland. In fact, the Articles of Limerick had been repudiated. But the violators of treaties had only just begun.

Three other Acts affecting Roman Catholics were passed during William's reign. One of 1697 forbade the inter-marriage of Protestants and Papists—and what a grievance is included in these few words! A second of 1698 stripped Papists of the power of being solicitors, whilst a third Act of the same year prohibited their employment as gamekeepers. These laws were harsh, but not inconsistent with the temper of the murderer of the MacDonalds of Glencoe. When the good Queen Anne came to the throne these measures were continued, and two Acts, which Burke described as the “ferocious Acts of Anne,” were passed for the prevention of the further growth of Popery. By the first of these, a Papist having a Protestant son was debarred from selling, mortgaging, or devising any portion of his estate; whilst the son, of however tender an age, was to be taken from his father's hands and confided to the care of a Protestant relation. The estate of a Papist, who had no Protestant heir, was to be divided equally among his sons. The Papist was declared incapable of purchasing real estate or of taking land on lease for more than thirty-one years. He was further declared incapable of inheriting real estate from a Protestant, and was disqualified from holding any office, civil or military. With twenty exceptions, Papists were forbidden to reside in Limerick or Galway; and advowsons, the property of Papists, were vested in the Crown. Thus the Roman Catholics were deprived of every office, civil and military; were forbidden to educate their own offspring, and debarred from purchasing real estate; were incapable by law of following a profession, carrying a gun, or riding a decent horse; were moreover forced to see premiums placed upon the apostasy of their own children; and under this load of savage legislation were expected to turn their white faces to England, and bless her in their unmitigated misery; were expected to live in Ireland with the flame of British loyalty burning in their breasts.¹

In order to prevent any invasion of the penal law, such as the deposition of property in the friendly hands of a Protestant, or

¹ Appendix XVIII, extract from speech by Sir Theobald Butler.

pretended conversions to the Established Church, a resolution was carried unanimously in the Irish Lower House on the 17th of March, a few days after the passage of the Act of 1704, "that all magistrates and other persons whatsoever, who neglected or omitted to put it in due execution, were betrayers of the liberties of the kingdom." In June 1705 the same assembly decided "that the saying or hearing of mass by persons who had not taken the oath of abjuration tended to advance the interest of the Pretender"; and they also resolved unanimously, as an encouragement to the trade of informers, "that the prosecuting and informing against Papists was an honourable service to the Government." In 1708 an Act was passed suppressing the "Patron" fairs in Ireland, which were religious gatherings at certain holy wells dedicated to the patron saint, St. John. This Act imposed a fine of ten shillings (and in default of payment a whipping) upon every person "who shall attend or be present at any pilgrimage or meeting held at any holy well, or imputed holy well." A fine of £20 was, moreover, to be inflicted upon any one who should build a booth, or sell ale, victuals, or other commodities at such pilgrimages or meetings; and magistrates were required to demolish all crosses, pictures, and inscriptions set up publicly as emblems of the Catholic faith.¹

In 1709, the Parliament, finding that its enactments had no effect upon the steadfastness of the Catholic believer, passed another measure, the second of the ferocious Acts of Anne, empowering the Court of Chancery to compel the Papist to discover his estate, and at the same time to make an order for the maintenance of an apostate child out of the proceeds of it. The Act of 1704 had made it illegal for a Papist to take lands on a lease of more than a certain term of years; the Act of 1709 now disabled him from receiving a life annuity. The Act of 1704 had compelled the registry of priests; that of 1709 now forbade their officiating in any parish except that in which they were registered. The present Act also enjoined that the wife of a Papist, if she became a Protestant, was to receive a jointure out of her husband's estate, a provision which must have proved an excellent cement for conjugal fidelity. A popish priest abandoning his religion was to receive an annuity of £30 a year. Two justices might compel any Papist to state on oath when and

¹ Another law of 1708 enacted—

"That from the first of Michaelmas Term, 1708, no Papist shall serve, or be returned to serve, on any Grand Jury in the Queen's Bench, or before Justices of Assize, Oyer and Terminer, or gaol-delivery or Quarter Sessions, unless it appear to the Court that a sufficient number of Protestants cannot then be had for the service; and in all trials of issues (that is, by petty juries) on any presentment, indictment, or information, or action on any statute, for any offence committed by Papists, in breach of such laws, the plaintiff or prosecutor may challenge any Papist returned as juror, and assign as a cause that he is a Papist, which challenge shall be allowed."

where he had heard mass, who had officiated, and who had been present at it, and, in case of a refusal to comply, a fine of £20 was to be imposed, or, in default, twelve months' imprisonment. For the discovery of an archbishop, bishop, vicar-general, or other person exercising ecclesiastical jurisdiction the informer was to receive £50; for any monk or friar, or secular clergyman not duly registered, £20; for every Papist school-teacher or tutor, £10. For a first offence an ecclesiastic was transported; and if any bishop who had once been transported was found in Ireland again, he was to be hanged. In the same year the scheme originated of inducing Protestant foreigners to go to Ireland, and offering them the benefits of naturalization, with a view of strengthening the Protestant element in the country and giving an impulse to industry. Eight hundred and seventy-one Protestant Palatine families were brought over from Germany, and twenty-four thousand eight hundred and fifty pounds five shillings and sixpence appointed for their maintenance out of the revenue. But the scheme, as might have been expected from its artificial nature, turned out a ridiculous fiasco, as Swift wittily observed—"It appeared manifestly, by the issue, that the public was a loser by every individual amongst them; and that a kingdom can no more be the richer for such an importation than a man can be fatter by a wen."

In 1713 an order was made in the Irish House of Commons, "that the Sergeant-at-Arms should take into custody all Papists that were or should presume to come into the galleries." This, though a feather in the balance of the other disabilities, evinces the temper of the times. Every man's hand was against the Catholics. They were pariahs, they were helots, they were worse than helots, for the general scheme of Irish society did not presume them to exist. Debarred from so much, they could hardly take a step without transgressing one of the penal laws, and the watch-dogs were ever on the alert to proclaim any encroachment upon Protestant privilege.¹

This scorpion legislation, however, was not yet complete. *Mobilitate vigit, viresque acquirit eundo.* An Act of George I

¹ Burke, comparing this mass of persecution to the Edict of Nantes, wrote in *Tracts on the Popery Laws*—

"this act of injustice, which let loose on that monarch such a torrent of invective and reproach, and which threw so dark a cloud over all the splendour of a most illustrious reign, falls far short of the case in Ireland. The privileges, which the Protestants of that kingdom enjoyed antecedent to this revocation, were far greater than the Roman Catholics of Ireland ever aspired to under a contrary establishment. The number of their sufferers, if considered absolutely, is not half of ours; if considered relatively to the body of each community, it is not, perhaps, a twentieth part. And then the penalties and incapacities, which grew from that revocation, are not so grievous in their nature, nor so certain in their execution, nor so ruinous, by a great deal, to the civil prosperity of the State, as those which we have established for a perpetual law in our unhappy country."

disabled Papists from serving in the Irish Militia, but with a refinement of insult worthy of the descendant of those laws which convicted on the evidence of Titus Oates, compelled them to find Protestant substitutes, and to pay double towards the support of the force. The same Act also rendered their horses liable to seizure for Militia purposes. In 1719 a tediously elaborate Bill was introduced in the Irish House of Commons for the prevention of any one married to a Catholic wife from holding any office under the Government, or a convert from holding any office or practising as a solicitor or attorney for seven years after his conversion, and not even after that period of time unless he were able to produce a certificate showing that he had received the Sacrament three times in each year of the seven. This measure, one of the clauses of which sentenced all unregistered priests found in Ireland to be branded upon the cheek with a red-hot iron, was carried through the Irish House without any opposition. The Irish Privy Council, however, gravely changed the penalty of branding into that of castration, and sent this unparalleled Bill to England for ratification. But the Ministry shrank from a precedent that through unexpected vicissitudes of fortune might some day be turned against themselves, and overflowing with the milk of human kindness, restored without a dissentient note the mild penalty of branding. The Bill, nevertheless, was eventually thrown out by the Irish House of Lords, not on account of the brutality of its provisions, but on a minor and quite different issue.

Primate Boulter¹ now became the evil genius of Catholic persecution. On the 9th of March, 1731, it was resolved unanimously through his influence "that it is the indispensable duty of all magistrates and officers to put the laws made to prevent the further growth of Popery in due execution," and "that Members of that House, in their respective counties and stations would use their utmost endeavours to put the several laws against Popery in due execution." By acts passed in George II's reign the Papists were, through the same baneful influence, disfranchised: Roman Catholics were disqualified from practising as solicitors, the only branch of the profession of the law that had been left to them; barristers or solicitors marrying Papists were to be deemed Papists; all marriages between Protestants and Papists were annulled; and Popish priests celebrating any illegal marriages were to be hanged. Lastly, by an Act of George III, Papists refusing to deliver up or declare their arms were liable to be placed in the pillory or to be whipped, as the Court should think proper.

Such were the Irish Penal Laws. Devoured by a satyriasis

¹ Hugh Boulter (1672-1742), Archbishop of Armagh.

of coercion, the Parliament, like some wild beast of the forest, had grown gluttonous upon what it fed. Having once tasted of cruelty it could not leave it alone, and the mania of proscription was only arrested when a great volume of public opinion rose up and barred the way. A few Roman Catholics, more witty than conscientious, deserted their own faith and became Protestants, pleading, as did Mr. Myers of Roscommon, as the "grounds" of his conversion, 2,500 acres of the best ground in the county of Roscommon. And yet the rulers of Erin were a Christian people and their country a Christian country—a people who prided themselves upon the advanced state of their civilization, and held themselves to be the true and only type of what a nation of gentlemen should be. How transparently thin, how indecently insufficient is the civilized veneer over the natural savagery of man.¹

Having sufficiently sketched the outlines of the Penal Code, we will now proceed to the history of its reform. Gradually, not from remorse, but from shame at the nakedness of its wickedness and fear at the consequences of its continuance, the Penal Code was modified. The curtain was at last to be lifted before the astonished gaze of Christian gentlemen who did not realize the full enormity of the Penal Code until the discussions took place over the clauses that were to be abolished. Two factors now ranged themselves upon the side of the Catholics in their struggle with Protestantism,—namely, the fear engendered in the hearts of the rulers of Ireland by the possibility of foreign complications, and the strife for supremacy which was now almost for the first time waged between the Ascendency and the English Government. In 1759 the Catholic Committee was formed in Dublin to sustain the Catholic cause. On the 25th of November, 1763, Mason² introduced a Bill to empower Papists to lend money on real securities. The measure was opposed by Le Hunte on the ground that it would tend to make Papists proprietors of a great part of the property of the kingdom, and was finally postponed until 1764, when it was rejected by a majority of 44. About this time a supposed Catholic conspiracy was employed by the Protestants of Ireland for the purpose of supplying an excuse for measures of peculiar severity against the Papists. Several Catholics of eminent character were hanged without a particle of evidence to support the accusations levelled against them, and informers drawn from the dregs of the people, such as strumpets, pimps, pickpockets, and common sharpers, were taken from the prisons and placed in the box as

¹ Appendix XIX, quotations from Arthur Young, Edmund Burke, Sir William Blackstone, R. B. Sheridan, George Canning, Henry Grattan, Sir George Cornwall Lewis, and Matthew Arnold.

² John Monck Mason, Shakespearean commentator (1726–1809).

witnesses against men whom perhaps they had never seen or even heard of. In 1766 occurred the execution of the Reverend Nicholas Sheehy, the parish priest of Clogheen, a village situated in the valley between the Galtees and the range of Knockmaol-down, in Tipperary. He had ventured to denounce Church rates as an iniquitous imposition, and his parishioners had in consequence refused to pay them. He had then proceeded to denounce also the payment of the tithes of two Protestant clergymen which were farmed to a tithe-proctor of the name of Dobbyn. Several years passed, but the Government had snuffed his blood and did not forget Sheehy. He was tried various times on different false charges, but they could not trip him up. At length in 1765 he was indicted for rebellion, but again acquitted, although the bribed evidence of a common prostitute and of a convicted thief were brought against him. He was next accused of the murder of an informer of the name of Bridge, whose evidence in some recent riots had been the cause of various executions, and, although the body of the latter was never found, nor a shred of evidence produced, he was convicted and hanged, and his head spiked over the gates of Clonmel Jail.¹

In 1768 a Bill for the mitigation of the Penal Code was introduced and passed without a division in the Irish Parliament, but it was lost in England. Three years later, in 1771, a fresh allurements was held out to the Catholic priest to change his Popish shackles for the free breath of Protestantism. A provision had been made in one of Anne's Acts that every Catholic priest, who became a convert, should receive £30 a year for his maintenance, until provided with some ecclesiastical preferment beyond that amount. But it had been found, contrary to the usual laws of human nature, that the Catholic most foolishly preferred his slave's gyves to the proffered liberty, and the Government had therefore kept its money and been obliged to swallow its annoyance. By the Act of 1771 it was enacted that a sum of £40 should in future be allowed annually, in lieu of £30, to every convert from the Roman faith; the additional sums of £10 each, "Townshend's golden drops," as they were called, being levied on the inhabitants of the district, wherein the convert last resided; a policy which defeated itself, for a strong inducement was in this manner held out to every district not to contribute a single convert for the fear of being taxed. The same year an Act was passed permitting Papists to hold on lease fifty plantation acres

¹ Small wonder that Burke wrote, in 1782, in a *Letter to a Peer of Ireland*—

"I was three times in Ireland, from the year 1760 to the year 1767, where I had sufficient means of information concerning the inhuman proceedings (among which were many cruel murders, besides an infinity of outrages and oppressions, unknown before in a civilized age) which prevailed during that period, in consequence of a pretended conspiracy among Roman Catholics against the King's Government."

of unprofitable and unwholesome bog, and half-an-acre of arable land adjoining as a site for a house, or for the purpose of digging gravel or limestone for manure. The tenant was to be free for the first seven years from all tithes and cesses; but it was provided that if half the bog were not reclaimed at the end of twenty-one years the lease should be void. No bog was to be considered unprofitable, unless the depth of it from the surface, when reclaimed, were four feet at least; and no person was to be entitled to the benefit of the Act, unless he reclaimed a minimum of ten plantation acres. The Act, moreover, was not to extend to any bog within one mile of a city or market-town. On the 9th of November, 1773, leave was given to bring in the heads of a Bill to enable Papists, on certain conditions, to take leases of lives, lands, tenements, and hereditaments; and on the 10th of the same month further permission was given to introduce the heads of a Bill to secure the repayment to Catholics of loans advanced by them to Protestants on mortgages of lands, tenements and hereditaments; but neither of the measures were proceeded with at the time. In 1774 an oath of allegiance was framed to meet their religious objections, a concession which, immaterial in itself, was a proof that the tide had at last begun to turn. But this dribble of reform did scarcely any good. The spirit of religious intolerance was as bitter as ever, and spread itself through every relation in life. None felt it more than the Catholic tenant upon his holding—the man upon whom of all others the prosperity of the Irish race depended, and whom the Protestant Ascendancy should have striven to conciliate. He was treated as a different being to his Protestant fellow occupier, and might consider his circumstances fortunate, if he were permitted to live upon the land at all.¹

By this time the American war had commenced, and it was thought advisable, when unforeseen dangers were menacing the rulers of Ireland, to conciliate with a little kindness the inhabitants of an island so near their own shores. Coerced at Saratoga into a sense of their inefficiency, the courage of the Government began to ebb and their intolerance to lose its backbone. In these circumstances was passed the first great Catholic Relief

¹ Arthur Young describes the case of one of these improving "Popish" tenants—"July 4th—Lord Longford carried me to a Mr. Marly's, an improver in the neighbourhood, who had done great things, and without the benefit of such leases as Protestants in Ireland commonly have." (He then describes how greatly Marly had improved his land, and how the rent had been raised in consequence.)

"It was with regret I heard that the rent of a man who had been so spirited an improver should be raised so exceedingly. He merited for his life the returns of his industry. But the cruel laws against the Roman Catholics of this country remain the marks of illiberal barbarism. Why should not the industrious man have a spur to his industry, whatever be his religion? . . . It is impossible that the industry of a nation should have its material progress where four-fifths of the people are cut off from these advantages which are heaped upon the domineering aristocracy of the remainder."

Bill in 1778, which, although it still left the Catholics without arms, horses, education, a seat in Parliament, a vote at elections, or the right to sit upon juries or enter municipal corporations, enabled them, on taking the oath of allegiance and a prescribed form of declaration, to hold leases of land for 999 years, although they were still debarred from purchasing the freehold, and also permitted them to inherit land in the same manner as Protestants. A child of Catholic parents, moreover, was now no longer to be encouraged to bite the hand that fed it, nor to be able to benefit at their expense by an interested conformity to the Protestant creed. Two more relief Bills for Irish Roman Catholics, introduced by Gardiner on February 5, were passed in the year of Independence. The first enabled them henceforth to purchase and bequeath land in the same manner as Protestants, with the exception of advowsons, manors, and land situated in a Parliamentary borough. A number of obsolete laws making it penal for Catholic bishops to live in the country, subjecting priests to the necessity of registration, enabling any two justices of the peace to oblige Catholics to declare on oath where they had last heard mass, and forbidding the latter to live in Limerick or Galway, were likewise repealed by the new measures. A Catholic was no longer forced to sell his horse to the first devotee of the other faith who chose to offer £5 for it, nor could the horses of Catholics be seized in the future for Militia service on every alarm of invasion. Moreover they were no more required to provide Protestant watchmen at their own expense, nor to pay compensation for the damage done by the privateers of an enemy. By the second Bill they were allowed to become schoolmasters, ushers under Catholic schoolmasters, and private tutors, provided they took the oath of allegiance, subscribed the declaration, received a licence from the Ordinary, and took no Protestant pupils. They were still debarred from possessing a Catholic university, college, or endowed school, but laymen of the Roman faith were now permitted to be guardians to Catholic children. A third Bill, however, which was also introduced by Gardiner, to legalize intermarriages between Protestants and Catholics, was defeated by a majority of eight. These welcome concessions were nevertheless fettered by various slight but irritating restrictions, the provisions against proselytism, perversion to Catholicism, the assumption by Catholics of ecclesiastical titles or rank, and the wearing of vestments outside the precincts of their chapels being expressly reaffirmed ; as well as those against chapels having steeples or bells, and priests officiating anywhere except in their accustomed places of worship. The Catholics were thus gradually being permitted to step within the sacred precincts of civilization, and to feel that they had a stake in the fortunes of their depressed country.¹

¹ Appendix XX, quotations from Henry Grattan and Edmund Burke.

In 1792 a Catholic petition for the abolition of the Penal Code was laid before the King, and the services of Richard Burke, a feeble reflex of his father, were enlisted in the Catholic cause. Dundas, who favoured the gradual and peaceful enfranchisement of the Catholics, instructed the Lord-Lieutenant to review the Penal Code with the object of recommending to the Irish Parliament the repeal of some of the restrictions. But the Irish Government, with the Lord-Lieutenant, shrank from Dundas' proposal to give the Catholics the franchise or to permit them to carry arms, and he and Pitt, in view of this opposition, abandoned their scheme. Nevertheless an important measure of Catholic relief was soon afterwards passed by the Irish Parliament, which swept away a large portion of the code, and let in a flood of hope upon the Catholics, who, lifting up their eyes, saw that the dawn of their liberty was breaking. Sir Hercules Langrishe introduced the Bill, which was prepared by its author in concert with Edmund Burke, on January 25. It enabled Catholics to be attorneys, solicitors, notaries, and attorneys' clerks, and to practise at the Bar, although they could not rise to the position of King's Counsel or Judge. It repealed the laws prohibiting barristers from marrying Catholics, and solicitors from educating their children in the Roman faith; as well as those of William and Anne directed against the intermarriage of members of the opposed faiths. It also repealed the obsolete Act against foreign education, and the equally obsolete clause of the Act of 1782, which made the licence of the Ordinary necessary for Catholic schools; and finally it removed all the restrictions on the number of apprentices permitted to Catholic trade. John Keogh and his Presbyterian allies were not in favour of the measure, as it did not provide for Catholic Emancipation, and a petition was presented by the Roman Catholics for admission to the franchise, but it was rejected on the motion of Mr. Latouche. The Bill was then read a third time on February the 24th and passed. The Catholics had at last shaken off the greater part of their dishonourable bonds, and their jailers were surprised to find that their own heavenborn generosity had not entailed the dissolution of a kingdom.

Meanwhile Wolfe Tone and Hamilton Rowan had drawn up a series of resolutions against the summary rejection of the Catholic petition, which they had caused to be inserted in all the Dublin papers; but their protest came to nothing, their hardness in hazarding the indignation of the Parliament by this breach of privilege being forgotten in the great fire which consumed, before men had had time to realize the calamity, one of the finest legislative houses in the world. During the same year a comical incident occurred in connection with Richard Burke. He was the agent of the Catholic Committee, and, soon after the first Catholic petition of 1792 had been laid

before the King, proceeded to draft a second one, more vigorous in its language than the first and proportionately disagreeable to the Castle brood. O'Hara, member for Sligo, undertook to present it, and when the day arrived Richard Burke went to the House to witness the debate upon it. It was vehemently opposed by the Ascendency, and the weak but worthy Richard, excited by this attack upon his offspring and forgetting the place in which he stood, precipitately descended into the body of the House and attempted to speak in defence of the measure. But he was greeted by a roar of privilege, and when the Sergeant-at-Arms approached him, took ignominiously to his heels, leaving the amazed members thunderstruck at his impudence and thoroughly tickled by his short-lived courage. The petition was then withdrawn, and soon afterwards Richard Burke, the admired darling of his father, threw up his appointment as paid agent to the Catholic Committee. After the retirement of Burke, Keogh engaged Wolfe Tone as the agent of the Catholic Committee, and the two men threw themselves energetically into the work of organization and preparation for a powerful agitation. On December 2nd of the same year a meeting of the Catholic Convention took place in Tailor's Hall, Back Lane, Dublin, for the purpose of discussing the prospects of Catholic reform, and the best means of advancing its cause. The Catholics were full of zeal but surrounded by cunning foes. The obstacles they were obliged to face and the prejudices they had to overcome were legion, and the latter from their nature were fundamentally unjust.¹

Valmy, however, which was fought on the 20th of September, 1792, roused the spirits of the Catholics, and the Convention, whose assembly the Castle had wished to prevent, but with which the Cabinet had forbidden any interference, finally adopted resolutions demanding the complete repeal of the Penal Code, and decided to send the King an address which was signed by Archbishop Troy on behalf of the Bishops. The delegates started on their journey, and Tone accompanied them to London in the capacity of Secretary. Westmorland, the Lord-Lieutenant,

¹ Edmund Burke had long recognized this. Making the Ascendency Party speak, he wrote—

"We mean to preserve as our life-blood, all the liberties and immunities (of the Presbyterians). We mean to cultivate them as brethren whom we love and respect—with you (the Catholics) we have no fellowship. We can bear with patience their enmity to ourselves, but their friendship with you we will not endure. . . . All our quarrels with them are always to be revenged upon you. Formerly, it is notorious, that we should have resented with the highest indignation your presuming to show any ill-will to them. You must not suffer them now to show any good-will to you. Know—and take it once for all—that it is, and ever has been, and ever will be, a fundamental maxim in our politics, that you are not to have any part or shadow of name of interest whatever in our State; that we look upon you as under an irreversible outlawry from our Constitution—as perpetual and unalterable aliens."

believed that the majority of Protestants in Ireland were very uneasy at the conciliatory spirit manifested towards the Catholics by the English Government and by certain other Protestants and Dissenters, and that the slightest show of opposition to the Catholics on the part of the Government would revive the old anti-Catholic feeling. Richard Burke, on the other hand, held the opinion that a measure of Catholic enfranchisement could be carried without much Protestant resistance, and that the anti-Catholic antagonism at this time was of a purely artificial nature. Pitt and Dundas, differing from Westmorland in this respect, decided that a conciliatory spirit ought to be shown to the Papists on the questions of their enfranchisement and the formation of juries, and that the Speech from the Throne should contain a clause to that effect. The King had meanwhile accepted the Catholic petition, and the memorable Irish session of 1793 commenced therefore on the 10th of January 1793 with a declaration favourable to the Catholic cause, the King's Speech containing, as arranged, a clause recommending to the Irish Parliament the consideration of the Papist claims. Keogh had meanwhile severed himself from the United Irish Society, as he was content to agitate for the Catholic franchise alone, whilst the latter insisted upon complete emancipation and had ulterior views which were dangerously allied to the spirit of revolution. The future conqueror of Waterloo, curiously enough, approved of the conciliatory policy announced in the Royal Speech, and said in the Irish House of Commons—

"I have no doubt of the loyalty of the Catholics of this country, and I trust that, when the question shall be brought forward respecting this description of men, we will lay aside all animosities, and act with moderation and dignity, and not with the fury and violence of partisans."

An opinion which the Duke of Wellington found it a little later convenient to disguise, when his blood was heated with party passion and he had an important office to lose.

In accordance with the sudden invitation to magnanimity on the part of the Crown, Major Hobart¹ on the 4th of February moved for leave to bring in a Relief Bill granting the franchise to Papists and reforming the jury system. But this was too much for Dr. Patrick Duignan,² the member for Old

¹ Robert Hobart, Lord Hobart, fourth Earl of Buckinghamshire; Secretary to Buckingham, the Lord-Lieutenant, in 1789, and, contrary to the usual custom, Secretary to Lord Westmorland, Buckingham's successor.

² Curiously enough his father had originally intended him for the Catholic priesthood. Although an anti-Catholic of the most extreme kind, he fell in love with a Roman Catholic, but she spurned him and married another. Forty years afterwards they met again as widow and widower. This time he was more successful in his suit and was so infatuated that he allowed her to keep a Catholic chaplain.

Leighlin, and a fair type of the Ascendency breed. Catholics, he admitted, were indeed excluded from the franchise, but that was their own fault; why did they not conform? They were interdicted from obtaining degrees in the University of Dublin, and he hoped that that grievance would never be redressed.¹ After a good deal of opposition, Hobart obtained leave to introduce his measure, which he did with ill-concealed hostility to it. On the occasion of its introduction Ponsonby declared that the object of the English Government in proposing to grant the franchise to the Catholics was to win their gratitude, and, in this manner, to gain a point against the Irish Protestants who had thrown out the Franchise Bill in the last session. The latter, therefore, proposed to admit the Catholics to the Irish Parliament, to sweep away all distinctions between the two faiths, and thus by earning the thanks of the Catholics towards the Irish Protestants to cleverly turn the tables upon the English Government. Ponsonby's proposal of complete emancipation, that is to say, the admission of Catholics to Parliament, was of course rejected, the future Duke of Wellington being put forward to oppose the motion; and a similar amendment by George Knox, member for Dungannon, was likewise refused. Sir Lawrence Parsons even deprecated the grant of the franchise to all Catholics, and wished to withhold it from the forty-shilling freeholders by limiting the franchise among Catholics to such only who possessed a freehold property of twenty pounds a year, from a fear that the whole power of Government would otherwise fall into the hands of a rabble, a consequence which would be extremely distasteful to the higher sort of Catholics. As a compensation for this restriction, Parsons proposed to give the franchise to the upper class Catholics and to admit them also to Parliament, but at the same time maintained that without a measure of Parliamentary Reform these other changes would merely be the shifting of colours in a kaleidoscope without a permanent change of substance. But the Government, with that keen sense of their own interest which never slackened with their wit, were determined to leave the latter out of their consideration, whilst Parsons was unwilling to carry one without the other. Fitzgibbon, on the other hand, was rigidly opposed to allowing the Catholics even a shadow of electoral power, and Henry Flood, Charlemont, and Foster agreed with him. But in spite of this opposition, Hobart's Bill finally passed the Commons in 1793, and the forty-shilling Catholic freeholders were admitted to the franchise, but, with a want of statesmanship that was eventually to bring a Government to its knees, Papists were still excluded from the possibilities of a Parliamentary career.

¹ Appendix XXI, extract from speech by Dr. Duigenan.

The same Act also swept away the few remaining disabilities attaching to property, which had formed part of the Penal Code. Catholics were now enabled to vote and to become elected members of all corporations except Trinity College; to keep arms subject to some specified conditions; to hold all civil and military offices in the kingdom, from which they were not specifically excluded, and the medical professorships on the foundation of Sir Patrick Dun; and to take degrees and hold offices in any mixed college connected with the University of Dublin that might hereafter be founded. They were also admitted to the degrees of that University. With all this they were, as we have seen, excluded from Parliament; they were shut out from almost all Government and judicial appointments, they could not sit on parish vestries, and they could not become Privy Councillors, King's Counsel, Fellows of Trinity College, Mayors, Sheriffs or sub-Sheriffs, or Generals of the Staff. Catholics, moreover, with less than £300 a year in land or £1,000 personalty, were forbidden to wear arms—an amendment carried by Clare, £100 a year in land having been the sum stipulated in the original Bill. The Government fondly hoped that in spite of the accompanying disabilities, these large concessions would silence the agitators for Parliamentary Reform, who would now in self-defence try to keep Parliamentary influence in their own hands.

Catholic relief, however, was not to be granted without a flavour of the Castle salt which has always been flung into the kettle when the ministers to Irish wants have been at work. Three coercive measures accompanied the Relief Act of 1793 to prove, if any proof were necessary, the irascibility of those who had been forced to pull from their breast-pockets and burn before the public eye their title-deeds of persecution. The Convention Act was one of these measures, framed with a view to stifle in the future any unauthorized attempts to chip at the Protestant monopoly. The Catholic Convention—the “Back Lane Parliament”—was the first nest of hornets it was deemed desirable to smother. Simon Butler, Lord Mountgarret's brother and chairman of the United Irishmen, and Oliver Bond were arrested, imprisoned and fined. Hamilton Rowan, secretary to the Convention, suffered the same penalty, but succeeded in escaping from his jailers and reaching America. Wolfe Tone also decamped, seeking refuge in that asylum of Irish discontent; and the dreaded Tailor's Hall, the abominable head-quarters of the ever-aspiring Catholics, was broken into by the guardians of the law and all the papers of the United Irishmen were seized. During the course of the same year a Catholic College was established by laymen, the College of Maynooth having been since the Revolution the establishment for the education of the priesthood. Up to this time a criminally cruel law had forbidden

Catholics to be educated at home and had not allowed them to seek education abroad. Hely Hutchinson¹ in 1782 had suggested their being educated in seminaries in Ireland and finishing their training in Protestant Colleges, and Edmund Burke had, on the whole, agreed with him, but gone further than the latter and advocated the establishment of a Catholic College in Ireland in which the priesthood might complete their education. Both proposals had, however, been neglected, and Irish priests had been forced to seek an illegal education in various educational institutions in France and elsewhere.²

This grievance was now remedied and an opportunity held out to the Catholic population of at last learning in the beloved home of their fathers those principles of liberty and justice without which a nation is a herd of slaves and unworthy of the very name. Thus after a period of cruelty, anguish, and hopeless combat that would have crushed into the dumb servility of despair any other race of men not fired by the noble love of country and religion, the indomitable Catholics rose from their mother soil, not, forsooth, without the scars and weals of ill-usage, nor with the memory of their great torments blotted out, but nevertheless unconquered, and proud, and joyful, confident of the strength of their cause and of its final triumph. In fact, at the time, their relief was much greater than that of their English co-religionists. In Ireland the army was open to Roman Catholics below the rank of a general officer, in England all ranks were closed to them. In Ireland they could be Justices of Peace, in Great Britain the door of the magistracy was shut against them. In the former country every qualified Roman Catholic could vote, in the latter he was denied the suffrage. The Irish Roman Catholic could serve on a corporation, the British could not. The former might graduate in any college, except Trinity College, Dublin; the latter was excluded from every English University; and these distinctions became naturally much more marked after the Union, when the two kingdoms had been politically combined.

¹ Richard Hely-Hutchinson, first Earl of Donoughmore (1756-1825), at this time member for Sligo. He was the eldest son of John Hely-Hutchinson (1724-1794), the venal and grasping Prime Sergeant, who was the author of *The Commercial Restraints of Ireland*, a series of nine cleverly written letters. Lord Townshend seeing the latter one day toddling up the drawing-room of the Castle in some apparent impatience, exclaimed to Sir John Blaquiére—

“See, see, here comes the Prime Sergeant: is there anything vacant?” “Nothing that I know of,” replied Blaquiére, “but a majority in a cavalry regiment.” “Oh, well, give it to him at once, to stop his mouth.”

² Grattan had said truly—

“In the same way are our laws respecting education so many provisions against conformity, they exclude the Catholic, in his docile years, from our society and our information, and enact that they from their earliest infancy shall live and learn only from another. We send them and punish them for being sent to foreign and catholic countries to imbibe the principles of religion and politics and then we make the prejudice of their education a reason for the continuance of their proscription, proceeding in a succession from cause to consequence, and from consequence to cause.”

But the position of the Catholics of Ireland, notwithstanding the amelioration of their lot and this favourable comparison with that of their fellow believers in England, continued long afterwards to be invidious and galling. They could not sit in either House of Parliament. No Catholic could be a guardian to a Protestant, and no priest could be a guardian at all. No Catholic could present to an ecclesiastical living, though Protestant Dissenters and even Jews could do so. The permission to Catholics to keep arms was girt about with restrictions; and no Catholic could be employed as a fowler, or keep any warlike stores for sale or any other purpose. The pecuniary qualification of Papists was higher than that of Protestant jurors, and they were practically excluded from the public service. They were also liable to the penalties of the severest of the old laws, if they did not punctually exempt themselves by taking the oath and declaration prescribed by 13 & 14 George III, c. 3. They were, moreover, systematically excluded from juries in Ireland; and in some districts were forced to submit to an absolute banishment from the soil. In fact, the Catholic was so effectually excommunicated in certain parts of Ireland, that he could not preserve his property nor remain upon the spot; and if he happened to die before he could effect his retreat, the passing bell was jerked to a merry measure by the followers of the Protestant faith. After Pitt's resignation, the "Talents" administration did, it is true, make a show of seeking some relief for Roman Catholics in England, but this so terrified the feeble old King, that he threw himself into the arms of Portland, and relief was thereby more thoroughly obstructed than by even the resignation of Pitt. On February 16, 1805, a Catholic deputation waited upon the Premier and requested him to present a petition for the alleviation of their grievances, but Pitt refused, and the Catholics had recourse to Grenville and Fox, who presented their petition to both Houses of Parliament on March 25.¹ But it was decided by a majority of two hundred and twelve votes to maintain those restrictions which galled the Irish people without doing any one else any appreciable good.

It was during the debate in the Lower House upon this petition that the first distinct mention of the *Veto* was made. Sir John Cox Hippenesley, who supported the Catholic Bill, proposed to give the Crown a veto upon the appointment of Bishops by the Pope, so as to obviate the objections of those who apprehended the baneful supremacy of the Pontiff over Irish Catholics. Although this was the first direct reference to the *Veto* its origin was of earlier date. In fact, it had been a favourite scheme of Pitt's since 1799, and in that year a proposal had been made to

¹ Appendix XXII, extract from speech by Charles James Fox.

give a State endowment to Catholic Bishops in Ireland on conditions which amounted in principle to the *Veto*. It was weary, thankless work, this agitation for Catholic Emancipation. Gratitude on the part of the Catholics there could be none, neither for past concessions nor for the measure that was eventually carried in 1829.¹

On February 9, 1807, a committee was appointed by the Catholic party to draw up a petition to be presented to Parliament, and one of the members of the committee was Daniel O'Connell.² But the Whig Administration soon afterwards resigned, and Spencer Perceval's "No Popery Ministry" having succeeded to power, the Catholic Committee in Dublin, on Grattan's advice, decided to defer the presentation of the petition until a more convenient season. On the 3rd of March of the same year Lord Howick introduced a Catholic Officers Bill for the opening of commissions in the army and navy, a privilege already possessed by the Catholics in Ireland under the Relief Bill of 1793. Howick's Bill also proposed that private soldiers who were Catholics should not be compelled to attend a Protestant service. But the King was against the measure, and the resignation of the Whig Ministry and Perceval's³ assassination stopped its farther progress. Parliament met on January 21, 1808, and the Catholics determined to renew their petition for the repeal of the remaining disabilities attaching to their faith. Two days before Parliament had assembled, a meeting of Catholics had been held in Dublin, with Lord Fingal in the chair, and on the motion of Colonel Dalton it was resolved to bring forward the question immediately. As a result of this resolution, Grattan presented the petition on May 25, and tried to induce the Government to take it into consideration by stating that the Catholics had authorized him to offer a ministerial veto on episcopal appointments. But the Government would have none of it, and the motion for a committee to consider it was rejected by 281 to 128; a similar motion brought forward by Lord Grenville in the Upper House being lost by 181 to 74. The petition which Grattan had presented in vain was a general petition of the Catholics of the kingdom. Separate ones had also been presented from the Catholics of the counties of Tipperary, Wexford, and Kerry, and the cities of Waterford and Kilkenny. The corporation of the City of Dublin had presented a petition against the Catholic claims, but this seems to have been the only instance of a counter petition to that of the

¹ Appendix XXIII, extract from speech by Lord Darnley.

² Appendix XXIV, O'Connell's duel with D'Esterre and his bloodless quarrel with Peel.

³ Spencer Perceval was shot dead by John Bellingham, in mistake for Lord Granville, on May 11, 1812, in the Lobby of the House.

Catholics on this occasion. The rejected general petition was then returned to Ireland to be re-signed, as the ostensible reason for its rejection had been the doubtful character of some of the signatures, and on the 25th of May it was once more presented by Grattan, but Parliament was inexorable, and it was once again rejected. On the 30th of May the same year it was moved in the Lower House "That the Catholics ought to be considered eligible to become governors, deputy-governors, and directors of the Bank of Ireland, if otherwise qualified," but the motion was defeated by a majority of three.

It was on the question of the Veto that Grattan separated from O'Connell, thus delaying the redress of the Catholic grievance for several years. When the offer of a provision for the Irish Catholics had been made in 1799 during the negotiations between the Irish Executive and the Catholic Bishops on the subject of the Union, the trustees of Maynooth College sent Castlereagh a resolution declaring on behalf of the Hierarchy, "That in the appointment of prelates of the Roman Catholic religion to vacant sees within the kingdom, such interference of the Government as may enable it to be satisfied of the person appointed is just and ought to be agreed to." In 1808 Pius VII let it be known that he would accept this proviso, and the principal Catholics in Great Britain and Ireland also concurred; and on the occasion of the Catholic claims being brought forward in Parliament, the Veto was made a part of them. But O'Connell opposed the proviso and succeeded in persuading the Irish Catholics to pronounce against the project, so that a split was created among Catholics on the question, the Earl of Fingall leading the Catholic gentry, who were generally in favour of the Veto, and O'Connell the democracy. In September 1808 the Irish Bishops had declared in a synod held in Dublin, only three Bishops of the twenty-six prelates present dissenting, that it was inexpedient to introduce any alteration in the mode of nominating Irish Roman Catholic Bishops, and an address of thanks to the Hierarchy for their resolution was signed by 40,000 laymen. On being asked as to the exact import of this declaration by Sir Edward Bellew and Lord Southwell, Archbishop O'Reilly explained that it did not mean that the Veto, with the consent of the Holy See, was contrary to the doctrine of the Catholic Church, but that the prelates were merely giving expression to their apprehension that it might possibly be used to the detriment of the Church of Rome. However, in February 1810, the Irish Bishops reiterated their decision in synod. This determination was communicated to the Catholic Committee, of which O'Connell was secretary, and unanimously endorsed by the latter.

In 1809 Grattan again brought forward the Catholic claims

in Parliament, but in vain. In July of that year occurred what is known as the "Defection of the Bandon Orangemen." On July the 1st the Yeomanry had assembled at Bandon to celebrate, according to custom, the Battle of the Boyne; but their commander and grand-master, Lord Bandon, requested them, in view of the feelings aroused by such a demonstration among the Roman Catholics, not to wear the usual Orange emblems. This order so disgusted the force of 600 men, that, with the exception of twenty-five, they all laid down their arms. The consternation caused in Government circles by this display of pique was not ungraceful. It was the sympathy of one bigot for the discomfiture of another, and care was taken in the future to leave undisturbed upon the manly persons of these bully braves the symbols of their honest loyalty.

In February 1810 a petition was presented to the Lower House from the Roman Catholics of Tipperary, and another on the 22nd of the same month from the Catholics of England. On the 27th of February Grattan once more presented the general Irish petition for emancipation; but he only agreed to it subject to the Veto, and in May moved that this and other petitions since drawn up—one from the Catholic freeholders of the Queen's County, and another from the Roman Catholics of the City of Cork—should be referred to a committee. But his motion was rejected by a majority of 104. In June the petition was presented by Lord Donoughmore to the Upper House, and experienced a like fate there, being defeated by a majority of eighty-six. A month after this rejection of the petition, the general committee of the Catholics issued an address urging all Catholics of Ireland to combine for a great agitation for Catholic emancipation, and the document bore the signature of Daniel O'Connell. In October George III sank into his final and incurable insanity, and the Catholics were filled with hope, the chief obstacle to reform being thus removed by the hand of God. They now determined to strengthen their organization, and suggestions were made that the business of petitioning should be carried on by ten managers in each county, working in subordination to the Central Committee. In view of this activity Wellesley Pole, the Irish Secretary, sent a circular order to the Sheriffs and Magistrates instructing them to strictly enforce the provisions of the Convention Act of 1793, which, while admitting the right to petition, declared all bodies appointed by delegation or having any representative character to be unlawful. Hereupon a prosecution was instituted against the Catholic Committee in the persons of two of its members, Kirwan and Dr. Sheridan. A conviction was obtained, and thenceforward the Catholic Committee in that form ceased to exist. As might have been expected, this was a signal for a fresh campaign

against the Papists. The opportunity was too good to be lost ; the Government had given the sign, and its Protestant followers were not the sort of men to lose any time in girding up their loins. Calling upon their Saviour, and crossing their palms, they therefore set about with holy satisfaction to persecute the defenders of the Catholic faith. Means were subordinated to ends ; scruples had to give way to the Protestant religion, for were not the Roman Catholics a perpetual defilement to Ireland, and was it not the duty of the crusaders to drive them from the temple ?¹

On the 27th of May the Marquis of Downshire presented a general petition in the Upper House from the Catholics of Ireland, but Lord Donoughmore's motion to consider it was defeated by a majority of fifty-nine on the 18th of June. The Catholic petition had been once again presented in the Lower House in May, but Grattan's motion that it should be referred to a committee of the whole House was rejected by one hundred and forty-six votes to eighty-three. This state of affairs continued until the Regency in 1812, when early in that year Lord Morpeth moved that the House should resolve itself into a committee to consider the state of Ireland, but this motion also was rejected by a majority of one hundred and thirty-five. On the 22nd of April, 1812, the claims of the Catholics were again brought forward in the House of Lords, but the motion for their consideration was defeated by a majority of seventy-two, and a similar motion in the Commons by one of eighty-five. An increase of the Maynooth grant from eight thousand to thirteen thousand pounds was likewise refused. In the same year Grattan's motion for Catholic Relief was lost in the Commons. Year after year was his attempt destined to fail, but it made no difference in his enthusiasm. He had a fervent belief in the justice of his cause and was confident of its ultimate success.²

In spite of many rebuffs, Canning's motion for the consideration of the laws affecting Roman Catholics in Great Britain and Ireland was carried this year. During the debate upon the Catholic question on the 3rd of February, 1812, he asked—

“Does my right honourable and learned friend only think that these wise and salutary regulations, though abolished, ought not to be forgotten ; that though we have partially, perhaps improvidently, removed the weight of the chain from the limbs of the Catholic, we ought to leave a link or two behind, to remind him that he was once in fetters ? ”³

¹ Appendix XXV, extract from speech by Lord Gosford.

² Appendix XXVA, quotation from Grattan.

³ Canning's speeches, as contributions to English literature, are perhaps superior to those of any other orator of the nineteenth century. Polished as a mirror, faultless in taste, they might have been fashioned in the workshop of ancient Athens. Noble

It seemed indeed that this was the opinion of a majority of the rulers of Ireland. The question that on the face of it appeared so absurd, was not so ridiculous after all. In Great Britain liberty was a temple to worship in, but in Ireland it was a totally different thing, an object of suspicion, a false god, a hundredfold more hateful than the meanest bondage. What was good for one nation was not good for the other. The one might bear the imprint of freedom and bask in the sunshine of her liberal institutions, but the other was to bear the mark of the beast. Her religion was too odious, her priests too infamous, her people too perverse to enjoy the free breath of an unrestricted liberty.

On the 11th of May, 1812, Perceval was assassinated in the Lobby of the House of Commons, and Liverpool¹ succeeded to the premiership. Canning and Lord Wellesley moved a resolution in each House proposing a pledge that Parliament would in the ensuing session seriously take up the question of Catholic Emancipation. In the Upper House it was only lost by one, the numbers being 125 to 124 on Lord Eldon's amendment; but the Commons destroyed it by a large majority. On the 25th of February of the following year Grattan renewed Canning's motion of the year before, and supported by Ponsonby, Whitbread, Canning, and Lords Castlereagh and Palmerston, moved for the immediate consideration of the laws affecting Roman Catholics. Canning finely said, in urging the acceptance of the motion—

"There is a tide in the affairs of men, on the height of which we are now riding towards the accomplishment of our object. The hands of Protestant and Catholic are outstretched to meet each other, and nearly touching."²

On Grattan's motion being carried by a majority of forty, he proceeded to bring in a Bill for Catholic Emancipation. It provided for the admission of Catholics to Parliament, to corporations, and to civil and military offices, those of Lord-

thoughts are clothed in noble images, and so fine is the texture of the language that it is impossible to add or withdraw even a word without detracting from its elegance. His dialectical skill is on a level with his literary excellence, and the track of a subordinate argument may frequently be traced throughout a whole speech, from the subtle windings of its first suggestion, to the final demonstration of its truth. If Canning's speeches have a fault, it is that they are too elaborately chiselled, too finished, too scholarly. Immense care was taken with them, and you feel it.

¹ Robert Banks Jenkinson, second Earl of Liverpool (1770-1828). He was a mere figure-head.

² Sir James Mackintosh said of Plunket's speech on this occasion—

"This admirable speech has made more impression than any other speech since Mr. Sheridan's, in 1787, on the charge against Hastings respecting the Begums of Oude" (Memoirs).

Lieutenant of Ireland and Lord Chancellor of England being excepted, as well as all posts connected with the Irish Church establishment. Between the first and second readings Canning added certain clauses providing for the Veto in the case of the appointment of any suspected bishop. The Catholic Board of England were quite favourable to the insertion of such a provision and endeavoured to have it accepted at Rome; a certain Monsignor Quarantotti, the secretary and vice-prefect of the Sacred College for the Propagation of the Faith, who exercised in 1814 the authority of the Pope during the imprisonment of Pius VII at Fontainebleau, being induced through English influence to recommend submission to the Veto. He sent a Rescript, dated February 16, 1814, to Dr. William Poynter, Vicar-Apostolic of the London District, stating that the Veto was approved by the most learned divines in Rome. The action of Quarantotti was later on disowned by the Pope on the ground of the issue of the Rescript without proper formality. But in any case the Irish Catholic Bishops would have none of it. It was hardly likely that they were going to place the dignitaries of the Church at the mercy of a hostile denomination. They had had experience of this mercy in the past. Grattan, on his part, acquiesced in Canning's clause, and this caused an estrangement between Grattan and the Catholic Board who were under the sway of O'Connell, which resulted in the former abandoning for the future the charge of the Board's petitions. Although the second reading had been carried by a majority of forty-two, he had finally to drop his Bill on account of the opposition he encountered from Speaker Abbot, who, as soon as the House was in committee, moved that the first clause admitting Catholics to Parliament be omitted, the amendment being carried by 251 to 247. However, a slight reform was conceded this year, in the shape of a Relief Bill for Roman Catholic officers. Irish Roman Catholic officers were now enabled to hold all such civil or military offices in England, as by the Act of 1793 they were entitled to hold in Ireland. On the 3rd of June, 1814, the "Catholic Board" was finally suppressed by a Proclamation of the Lord-Lieutenant under the Convention Act; but O'Connell immediately proceeded to evade the penalties of the law and to carry on the agitation by organizing "Aggregate Meetings," which were even more effectual than the Board for the purpose of disseminating the opinions of the Catholic leaders, a meeting of the kind being held in Clarendon Street Chapel in January 1815, with the O'Connor Don in the chair. The Ascendency now began to loathe O'Connell with an execration that was all the more bitter for being tinged with the sentiment of fear. Here was a man in deadly earnest, determined to emancipate the country of his birth; heeding no

more the frown of monopoly and the scowl of hereditary influence than the eagle cares for the meaner fowl that straggle in his wake. Single-minded, courageous, he went upon his way, a great man upon a great mission, the guardian of his own conscience. This was not the type of statesman that exactly suited the conforming spirit of the Orange anti-Catholics. They were so nicely rounded off, so polished, so outwardly clean and so rotten at the core, that they could not comprehend the rugged strength of this upstart Irishman; they could not understand him, and they hated him for it.¹

Meanwhile the Quarantotti Rescript had been referred to the Congregation for the Propagation of the Faith. The decision was communicated to Dr. Poynter in a letter dated April 26, 1815, from Cardinal Lita, Prefect of the Congregation. The proposal to grant to the Crown the right to examine Papal rescripts and the documents sent to the United Kingdom was condemned on the ground that it would be an interference with the supremacy of the See of Rome, but the Pope, it was said, had no hesitation in agreeing to submit the names of candidates for vacant dioceses to the Crown for approval. The aversion of the Catholic Bishops to the Veto was dealt with in a reply of the Pope's dated February 1, 1816. He declared that their apprehensions were without foundation, as it was only proposed to give the British Government power to erase from the list of candidates for a vacant bishopric to be presented to the See of Rome those whose loyalty was suspected. "In doing this," continued His Holiness, "we have acted according to the invariable rule of the Holy See—that is, never to promote to vacant sees persons who were known to be displeasing to the Powers under whom the dioceses to be administered were situated. Such a concession, therefore, might well be made to the friendly British Government, and its refusal would certainly be displeasing to the Government, which is so powerful for good or evil throughout the whole Church."

In 1815 a committee of inquiry was moved by Sir Henry Parnell, who had been entrusted with the care of the Catholic petition after Grattan's abandonment of it, but his motion was defeated by 228 to 147. The following year Grattan again brought forward the question in Parliament, but with as little success. In 1817 the Military and Naval Officers Oaths Act was passed, a measure which virtually opened all ranks in the army and navy to Roman Catholics and Dissenters. This Act and the similar relief of 1813 had been refused in 1807, although their expediency had been acknowledged. During the same year Grattan repeated his attempt of 1816 with a like result, and

¹ Appendix XXVB, quotation from R. L. Shiel.

in 1819, with one foot in the grave and his eyes fixed on eternity, he once more made his old essay in favour of the Irish people, and once again was defeated. The rulers of Ireland thought they could stave off the demand of the Catholics, that the old Irish energy would waste itself with chagrin and disappointed hopes, while they could stand upon the bank and smile. But it was not to be—

*"Rusticus expectat dum defluat amnis, at ille
Labitur et labetur."*

During the course of the same year Ireland was visited by the Royal voluptuary who was seated on the throne. On parting from her shores the tender-hearted libertine completely broke down. Tears trickled down the cheeks that were furrowed by debauch, and sighs, those gentle interpreters of the soul, rose from the breast that up till then had kindled with no passion save that of lust. What was the secret of this grand emotion? What wizard's spell had tapped the fountains of this rake's sorrow? Had the faces that stared at him from Irish hedgerows, pinched with want and grinning with hunger, had the indelible mark of national prostration, notwithstanding the efforts of Government to conceal them from his view, pierced the seared conscience and melted the heart of the worthless debauchee? We think not. No, George IV was too well-bred for any breach of polished profligacy. He had merely feasted well in Ireland. The carefully prepared carouse had mounted to his head; the farewell applause of a hired rabble had heightened the consciousness of unearned contentment; and the overcharged pleasure of the senses had found an easy vent through the ready sluices of the eye.¹

On the 14th of October, 1817, died John Philpot Curran, the celebrated Irish advocate. He was famous even at a time when the Irish Bar was renowned throughout Europe for its wit and eloquence. The names of Grattan, O'Connell, Flood, Fitzgibbon, Charles Kendal Busche, Walter Huzzey Burgh, Barry Yelverton and Plunket bear witness to its brilliancy at the end of the eighteenth and the beginning of the nineteenth centuries, and Curran's name is not the least among them. Indolent by nature and over-fond of pleasure, his genius, in spite of these failings, propelled him to the front, although even that gift might have proved powerless to win him success had not the spur of early poverty been there to help. Whether in the Courts or the beloved social circle of his intimates, his vivacious and stimulating personality gave a flavour to the proceedings to which they were strangers in his absence, and he must have been a dull man

¹ Appendix XXVI, extract from Lord Byron's verses on the occasion.

indeed who had once been in Curran's society without relishing it or desiring more.

His character was pictured in his countenance. That uplifted eager face and protruded underlip, that beaming and intellectual eye, that dilated nostril and broad brow proclaimed a man with a magnanimous heart and generous, bubbling impulses. There was no meanness about him. Quick to resent injustice, he was always the friend of the oppressed and foe of the oppressor. Even his detractors fell under the spell of his persuasive and pathetic eloquence, and paid unwilling tributes to his disinterested devotion to the cause of liberty. With bayonets pointed at his breast, he defended the client who was too poor to fee him, and in the teeth of the most rancorous and remorseless hostility, when a temporary subservience to envious and arrogant power might have propitiated an enemy and improved his worldly prospects, he never deviated by so much as a hair's breadth from the straight path of duty. His eloquence was the impassioned eloquence of the Celt without its usual faults of tautology and extravagance. It breathed sympathy for his less fortunate fellow-countrymen. You felt he was entreating from his heart, a capacious and intrepid heart, and that he pleaded not because he was paid to do it, but because he yearned for justice. Like all great speakers he seemed to kindle as he spoke, and as the sweet stream of reason and pathos issued from his lips, warmed into life by exquisite imagery and apposite illustration, the audience could not help loving the man and being convinced by the orator.

In 1820 Grattan died at the age of seventy-four, the most fervent patriot who ever devoted himself to his country's cause, and one of the greatest orators that ever adorned the English or the Irish Parliament. *Clarum et venerabile nomen*. His speeches may not possess the profundity or philosophy of Burke, the fire of Chatham, the wit of Sheridan, the spontaneity of Fox, the stateliness of Pitt, the finish of Canning, the lucidity of Cobden, or the noble simplicity of Bright, but he outstrips them all in his marvellous fertility of phrase, his poetical flow of imagery, his fecundity of antithesis, and his thaumaturgical mastery of the English language.¹ Above all, and let it not be forgotten, the Parliament, his Parliament of 1782, was probably the only establishment which might have lasted to this day and satisfied the restless ambition of the Irish people. It was swept away by trickery and corruption, and we have now had one hundred years of retribution; but for a long

¹ The effect produced by his eloquence was all the more remarkable when his insignificant presence is taken into account. The gestures of his arms were ungainly in the extreme, and he used to double himself up at intervals, as though he were suffering from some acute internal disorder.

time it maintained its place in practical politics, as the only institution upon which could have been modelled any attempt to give a separate legislature to their unfortunate country.

In 1821 William Plunket, who afterwards became Lord Chancellor of Ireland, proposed six resolutions in Parliament. The first two were for the repeal of all those declarations required to be made by members of Parliament against transubstantiation, the invocation of saints, and the sacrifice of the mass; and the last four for the explanation or repeal of the word "spiritual" in the passage of the oath of supremacy affirming "that no foreign prince, person, prelate, state or potentate ought to have any jurisdiction, authority, etc., ecclesiastical or spiritual, within these realms." He then introduced two Bills founded on these resolutions, the first providing for the removal of every disability from the Roman Catholics and their admission to every office, except that of the Chancellorship of England and the Lord-Lieutenancy of Ireland; and the second giving the Crown a veto on the appointment of a Roman Catholic bishop by the Pope, and exacting an oath from every Roman Catholic priest not to concur in the appointment of any dignitary of his church except such as he should deem unimpeachably loyal and peaceful, nor to correspond with the Pope or any of his agents as to the disestablishment of the Church of England, Scotland, or Ireland. Plunket was supported by Canning, and their speeches on this occasion are specimens of almost the highest flights of oratory. The Bills passed successfully through the Commons, but with patient regularity were rejected by the Lords. The same year the King visited his dependency, and after many loyal addresses left its shores at Dunleary, which in honour of that happy event was thenceforward known as Kingstown. In 1822 Canning introduced a bill to allow Roman Catholic peers to sit and vote in Parliament. In 1817 Peel had delivered a very able speech against the Catholic claims, and in 1821 Plunket had made a remarkable one in favour of them, in which Peel acknowledged that his opponent "had torn to pieces" the web of his argument of four years before, and that Plunket was "worthy to wield the arms of the dead Achilles."¹ But for the purposes of reform our "flexible Constitution" was not flexible enough, and the Catholics had to wait eight years longer for the benediction.² Canning's Bill was passed by the Commons but with undeviating consistency rejected by the Lords.

The riot in the theatre of Dublin, known as the "Bottle Plot," also occurred in 1822. The Dublin Protestants had decided on a great demonstration on November 4. On that day it had been

¹ *i. e.* Grattan.

² Appendix XXVIA, extract from speech by Canning.

the custom to decorate the statue of the Prince of Orange ; but Lord Wellesley, fearing that a riot might occur among the Catholics whom he had been sent to Ireland to conciliate, and whose claims he advocated, persuaded the Lord Mayor to prohibit the decoration. This order set all Dublin in a blaze. Wellesley was already unpopular with the Orangemen, as he was known to favour the cause of the Catholics, and this last incident enraged them beyond measure. A few weeks later on entering the theatre he was hissed by the Protestant mob, and a quart bottle and half a policeman's rattle were thrown into his box. This piece of horseplay on the part of a few Orange clowns was very foolishly interpreted as a plot against his life, and a rising against those in power. The rioters were tried, but soon afterwards acquitted, and the " Bottle plot " served only to bring its object into ridicule. In 1823 Plunket again moved for the emancipation of the Catholics. He had made a great speech on the subject in 1821, but in vain ; seven years being still required to complete that surgical operation upon the skulls of Peel and Wellington, and to drive into their heads that very ordinary sense of justice and expediency, which most people had been possessed of twenty years before.¹

The Roman Catholics at this period were in the habit of forming for every Orange Club established an antagonistic Ribbon Society. The Catholic Board, which had taken the place of the Catholic Committee suppressed in 1812, had never been of any importance, and the formation of the Great Catholic Association by Daniel O'Connell in 1823 opened up a new road to reform. It was agreed that the offices of the Association should be at Coyne's, the Catholic bookseller, No. 4, Capel Street, and it was there, on May 3, 1823, that the first meeting of the Catholic Association was held under the chairmanship of Lord Killeen. In order to escape the penalties of the Convention Act of 1796, the Association was expressly declared not to be a delegated body. It was not limited to Catholics, any one who subscribed £1 2s. 9d. a year being entitled to become a member. Reporters could attend the meetings, which were to be held at three o'clock on Saturday afternoons ; and if by four o'clock the members had not assembled, the meeting was to be adjourned. O'Connell's principal coadjutor was Richard Lalor Shiel, and the great object of the new movement was Catholic Emancipation. After a few meetings enthusiasm began to wane and audiences to diminish, but O'Connell's

¹ Plunket must have been, if we can judge by what has been handed down to us, one of the most brilliant orators of the nineteenth century. He was impassioned by nature, but calm and logical in practice ; fired with the divine flame of genius, but not allowing it to scorch him. He was ascetic-looking, and had a cold exterior which belied the ardent spirit within.

fertile and ready brain devised a new plan. A "Catholic Rent" was to be collected by the emissaries of the priesthood, and devoted to the supreme end of acquiring political liberty for the members of the oppressed religion. Monthly subscriptions were to be raised, and collectors were appointed for each parish to receive them, the lowest being fixed at a penny, and the highest at two shillings. On the formation of O'Connell's new association agrarian disorder almost ceased in Ireland, and the energies of the Irish Catholics were absorbed in advancing the cause of emancipation. This was largely due to the action of O'Connell himself; for he sternly repressed all tendencies to disorder, wishing rather to appeal to the reason and generosity of opponents than to their fear. Speaking at Limerick on March 22, 1824, and alluding to agrarian crime in Munster, he said—

"Many a widow, many an orphan, grieves over the consequences of these disturbances. Murder—oh, it brings the curse of heaven on their heads; the hand of man pursues to punish it; the red right arm of God's avenging justice hangs over the head of the murderer and of the midnight assassin! Let me not be misunderstood. I do not say you do not labour under grievances; that the tithe system, Church rates, grand jury robbing, Orange bigotry, corporate monopoly, are not grievances. Your wrongs I pity; whatever of life and talent I possess, it is directed to redress them; but until you drop your evil proceedings I can be of no use to you."

On December 17, 1824, O'Connell delivered a speech at the Catholic Association in which he eulogized Simon Bolivar and the methods employed by him to attain the liberty of a people. For this he was prosecuted, but the grand jury, which was composed of persons of various political opinions, threw out the bills on January 1. By 1825 the Association had, by dint of indomitable perseverance and courage bred of a great cause, become very formidable to the Government. Within two years after its origin the penny subscriptions to the rent averaged £500 a week, representing half-a-million enrolled associates, and O'Connell began to feel himself strong enough to show his hand. Even some years before this time he had ventured in a speech to quote the lines—"Hereditary bondsmen! know ye not, who would be free, themselves must strike the blow?"; and he was not without support in high places in his desire to bring the question to a settlement, for Althorp¹ had also begun to take up the cause of Ireland, and, although his motion had been rejected, his efforts were imitated, and Joseph Hume in 1824 had moved for an inquiry into the existing Irish Church Establish-

¹ John Charles Spencer, Viscount Althorp and third Earl Spencer (1782-1845).

ment. It was in truth time for reform. The Church rate was chiefly levied on Irish Roman Catholics. Clerks received extravagant salaries, whilst houses were built for them at the expense of the parish, and the Protestants were actually, in some cases, provided with prayer-books at the expense of the Catholic ratepayers. The King's Speech, read at the opening of Parliament on February 3, 1825, contained a passage urging Parliament to consider without delay a remedy for the undue activity of the Catholic Association, and Henry Goulburn, Chief Secretary to Wellesley, the Lord-Lieutenant, in view of the unwelcome virility of the newly-formed league, brought in a Bill on the 10th of February for the suppression of "Unlawful Associations in Ireland," which ostensibly aiming at political associations in general, was really directed against O'Connell's.¹

The Bill declared it unlawful for any political association to continue its sittings, by adjournment or otherwise, for more than fourteen days; or to levy contributions for His Majesty's subjects; or for any such societies to have different branches, or to correspond with other societies, or to exclude members on the ground of religious faith, or to require oaths or declarations otherwise than as required by law. The measure was supported by Plunket and Canning on the ground that such an association was opposed to the spirit of the British Constitution, whilst the Association was defended by several of the Radicals, including Sir Francis Burdett, Sir James Mactintosh, Sir Henry Parnell, and Henry Brougham. On February 18 there was a debate on the petition of the Catholic Association to be heard by counsel at the Bar of the House. There was an important deputation of Irish Catholics in London at the time, O'Connell and Sheil having been requested by the Catholic Association to go to England and demand a hearing against Goulburn's Suppression Bill. The motion that they should be heard was moved by Brougham, on February 17, seconded by Burdett, and supported by Hobhouse² and Spring Rice,³ and after a warm debate in which Peel called O'Connell "an attainted traitor," was defeated by 222 to 89. Goulburn's Bill meanwhile, having been read a second time in the Commons by 253 to 107, passed into law, but the measure was a failure. O'Connell called it "the Algerine Act," and cleverly evaded it, driving, as he boasted, "a coach and six" through it. This he affected by merely altering the title of the old Association and continuing it as vigorously as ever under that of the "New Catholic Association." While the debate on the Suppression Bill was proceeding, select committees of both Houses had been appointed to consider the state of

¹ Appendix XXVIB, extract from speech by Henry Brougham.

² John Cam Hobhouse, Baron Broughton.

³ Thomas Spring Rice, first Baron Monteagle of Brandon, in Kerry.

Ireland, and, although they made no report, a fierce light was thrown upon the grievances of the Irish and evidence accumulated for future use.

The same year in which Goulburn brought in his Bill for the suppression of O'Connell's Association, a series of resolutions were introduced by Sir Francis Burdett for the relief of the Roman Catholics. The first resolution abolished the oaths disavowing beliefs in transubstantiation and the worship of the Virgin and the Saints; the second modified the oath of supremacy so far as to admit the Pope's supremacy in spiritual matters, and the third dealt with the securities of the loyalty of bishops. Under the terms of this third resolution a Royal Commission was to be appointed to certify as to the loyalty of any future bishop or dean; but instead of consisting in part of laymen and Protestants, as in Plunket's proposals in 1822, it was to be selected exclusively from the Catholic episcopate. The fourth resolution dealt with intercourse between the priesthood and Rome; all instruments whatsoever coming from Rome and dealing with other than purely spiritual matters were to be submitted to the Commission. These resolutions for the admission of Catholics to Parliament were submitted to O'Connell and met with his approval. They were then carried by a majority of thirteen, and Burdett introduced his Bill which was founded upon them.¹ But the hearts of the Protestants were hardened, and once more the Catholic cry for relief was drowned in the bray of Exeter Hall.

Before it was read a second time in the House of Commons notice was given of an Elective Franchise Bill and a Clergy Support Bill, which it was hoped would buoy up the body of the principal measure. These two supplementary Bills became known therefore as "wings," and O'Connell gave his assent to their introduction. For this he was attacked on March 15, 1825, by John Lawless, editor of the *Irishman*, a Catholic weekly journal published in Belfast, who alleged that he had supported the "wings" of the Catholic Bill on account of a promise that if emancipation were carried he would be made a King's Counsel. But no proofs were offered in support of the allegation, which was merely the venom of a newspaper hack. The first "wing," of which Lord Francis Leveson-Gower had charge, proposed to set aside one quarter of a million a year for the State endowment of the Roman Catholic clergy, which was to be paid out of the Treasury at the rate of one thousand five hundred pounds a year to each of the four archbishops; one thousand pounds to each of the twenty-two bishops; three hundred to five hundred pounds to each of

¹ Appendix XXVII, extract from speech by W. C. Plunket.

the three hundred deans ; two hundred pounds a year for one class of parish priests ; one hundred and twenty pounds for a second class ; and sixty pounds to curates. The second "wing," of which Littleton¹ had charge, proposed to disfranchise the forty-shilling freeholders in Ireland and confine the benefit of the suffrage to persons having ten pounds a year in land. Burdett's Bill, although opposed by Peel, passed safely through the Commons, being read a second time by 268 to 241. The Bills embodying the securities were then introduced. The measure for raising the suffrage was read a second time by 233 to 185, and that for the endowment of the Catholic clergy, which was introduced on April 29, passed its second reading by 205 to 162. Burdett's Bill was then read a third time on May 10. But on Monday, April 25, the Duke of York had presented a petition from the Dean and Chapter of St. George's, Windsor, and, alluding to his determination to resist all proposals of Catholic relief, he declared that "these were the principles to which he would adhere, and which he would maintain and act up to, to the latest moment of his existence whatever might be his situation in life. So help him God !" This speech was one of the most remarkable for vigour ever delivered by a Royal personage in Parliament, and it led directly to the rejection of the Bill in the Lords on its second reading on May 17, by 178 to 130. The old Chancellor, Eldon,² listened from the Woolsack with the rapture of second childhood to the truths embedded in the Royal speech, and copied them into his note-book before retiring to bed that night, whilst fanatics of the same colour, out-Eldoning Eldon, had the speech printed in letters of gold, framed it, hung it upon their drawing-room walls, and circulated it as an example of more than Royal wisdom throughout the country. But the Duke was not allowed to die without being made to feel the sting of a rebuke, that will keep alive the memory of the Royal puppet, when most of his dull fraternity are buried in oblivion. Sheil had a short time before fiercely denounced a proposal to drink the Duke's health at a banquet at Mullingar, and seizing the occasion to strip the worthless spendthrift of his hereditary trappings, had displayed the man himself in all the nakedness of his mean nature. Soon afterwards the Duke of York lay upon his death-bed, and Sheil felt it his duty as a Christian to offer a public apology to the lump of clay that was so soon to be committed to the ground. This he did ; but the apology was worse than the rebuke ; the forgiveness was more bitter than the accusation. The scorn of it is withering ; it does not bruise, it shrivels the object of its attention.

¹ Edward John Littleton, first Baron Hatherton (1791-1863).

² John Scott, first Earl of Eldon (1751-1838).

"It is right that the offence which the Duke of York committed against our country should be committed to forgetfulness. Indeed, it is almost unnecessary to express a desire which the natural oblivion that must befall the greatest as well as the humblest of mankind cannot fail to accomplish. In a month hence the Duke of York will be forgotten. The pomp of death will for a few nights fill the gilded apartments in which his body will lie in state. The artist will endeavour to avert the decay to which even princes are doomed, and embalm him with odours which may resist the cadaverous scent for a while. He will be laid in a winding-sheet fringed with silver and gold; he will be enclosed in spicy wood, and his illustrious descent and withered hopes will be inscribed upon his glittering coffin. The bell of St. Paul's will toll, and London—rich, luxurious, Babylonian London—will start at the recollection that even kings must die. . . . The coffin will go sadly and slowly down; its ponderous mass will strike on the remains of its regal kindred; the chant will be resumed, a moment's awful pause will take place—the marble vault, of which none but the Archangel shall disturb the slumbers, will be closed—the songs of death will cease—the procession will wind through the aisles again and restore them to their loneliness. The torches will fade again in the open daylight—the multitude of the great will gradually disperse; they will roll back in their gilded chariots into the din and tumult of the great metropolis; the business and the pursuits and the frivolities of life will be resumed, and the heir to the three kingdoms will be in a week forgotten. We, too, shall forget; but let us, before we forget, forgive him!"

We can imagine the Philistines, swollen with dinner and wiping their mouths, thanking God that they at least had no ideas higher than their soup-plates; we can imagine them not quite understanding, maybe unable to thoroughly appreciate the irony of the words, *but let us, before we forget, forgive him*. Perhaps these Philistines, with their loud laughter and their mill-stone of provincialism hanging round their necks, did not care to comprehend the insult levelled against their doll,—the most corrosive acid ever applied to the pachydermatous hide of stale bigotry.

The tidings of the loss of the Bill reached Dublin at an early hour on the 20th of May. A preliminary meeting was held three days afterwards under the presidency of Mr. Woulffe, and on June 8, 1825, an aggregate meeting was held in St. Michan's Chapel, North Anne Street, Dublin, to consider the position of the Catholic cause. Jack Lawless, commonly known as "Honest Jack Lawless," proposed that "the wings" of the Relief Bill had never obtained the assent of the Catholics of Ireland, and although the motion was withdrawn, it received the support of a large minority. Another aggregate meeting was held on July 13 to receive the report of the Committee from the last meeting on the scope of the New Catholic Association. Ostensibly it was to be formed merely for the purposes of public or private charity, and

such other purposes as were not prohibited by the statute of George IV, cap. 4. The first object of the Association was declared to be the promotion of public peace and concord. The second, the encouragement of an enlightened and religious system of education founded on the basis of Christian charity and perfect fair dealing. The third object was stated to be the distinctive enumeration of the people according to their various creeds, and the number of children of each sect receiving education. The next purpose was the rendering of aid in the erection of places of public worship, and interment for the dead. Then the promotion of improvements in native agriculture and manufactures, and, finally, the diffusion of information calculated to advance the cause of religious toleration, and the support of a liberal press. Petitions to Parliament were in future to be adopted at separate local meetings, instead of issuing, as heretofore, from a central body. The first meeting of the New Association took place on the 20th of August. On October 14 of the same year, the first important meeting was held in New York, with Judge Swanton in the chair, for the purpose of expressing sympathy with the Catholic Emancipation movement, and an association was formed in the United States on the same lines as the one founded by O'Connell, and a "rent" similarly collected. The Irish emigration to America at this time was considerable. In 1824, 45,000 Irish emigrated to Canada, and many of these found their way to the States.

In 1826 occurred the Waterford election. The Marquis of Waterford, discerning in his relative a latent aptitude for the affairs of his country, had put forward his brother, Lord George Beresford, as his nominee for the County of Waterford. Villiers Stewart, the popular candidate, opposed him, and backed by the influence of O'Connell and a wave of national enthusiasm routed the astounded nominee. The result of this election fired the ambition of other counties to do likewise, and Monaghan and Louth both returned popular candidates over the puppets of the landlords, Alexander Dawson being elected in the latter case by a majority of 300 in the teeth of the immense interest of Lords Oriel and Roden, who had put forward Fortescue and Leslie Foster. Each of these successes was one more step in the direction of Emancipation. In 1827 Canning brought forward a motion for the consideration of the laws against Catholics, but his attempt was unsuccessful. In the same year Burdett made a similar endeavour, but his motion for the consideration of the laws inflicting penalties on Roman Catholics was rejected, although by a majority of only four. In January 1828 the Catholic Association adopted a resolution to oppose the return to Parliament of every supporter of the Wellington and Peel administrations. On February 26 Lord John Russell moved for the repeal

of the Corporation Act, which excluded from corporate office persons who had not, in the preceding twelve months, received the Sacrament according to the rites of the Established Church and the Test Act, which made the receiving of the Sacrament an essential qualification also for offices of profit under the Crown. The motion was carried by a majority of 44, supported by O'Connell, although the Dissenters who were to benefit by the measure were against the Catholic claims. A Bill was thereupon introduced by the Government for the abolition of the Sacramental Test, and passed. Russell then tried to persuade O'Connell, in view of this repeal, to cancel the hostile resolution of the Catholic Association in regard to the supporters of the Administration, and on May 20 O'Connell moved that the pledge be rescinded. But the opposition to him was so great that the motion had to be withdrawn. On the 8th of May, 1828, Sir F. Burdett with commendable persistence again brought forward a motion in favour of Catholic Emancipation, supported by Brougham, Sir James Mackintosh, Lord F. L. Gower, and others, and succeeded, in spite of Peel's opposition, in carrying it in a House of 538 by a majority of six, but the Lords treated it like its predecessors and strangled it, Lord Lansdowne's motion in favour of Burdett's resolution being rejected by one hundred and eighty-one votes to one hundred and thirty-seven.

Peel and Wellington, however, now suddenly bathed in an intellectual flood of light, and almost suspicious of the colour of their new shrewdness, perceived for the first time that they would have to bring forward some such proposals of their own, if they wished with any probability of success to save their places and their reputation. The actual cause of the Catholics was nothing to them. What after all was a Catholic dog?—only a being with a soul in him. To them a Catholic was a little worse than a rebel; but like rebels it was sometimes desirable to humour them. In fact, by this time the heretics were very near upsetting the whole paraphernalia of Government, and it was found necessary not only to humour them, but to treat with them on equal terms. There was something laughable in this sudden surrender on the part of the soldier and the statesman of the age; in this knuckling under, this base truckling to a dog of a Catholic, to a rank Papist, the scum of Ireland. What! O'Connell turn the tables on Peel and Wellington! The idea was monstrous. What man out of a frenzy could have imagined such an issue? But so it was to be; Wellington had helped to corner the Corsican, but could not defeat justice. It towered up above him and beat him to his knees. Another rent was to be torn in the web of the old Protestant monopoly. It had formerly been impossible for a Papist to squeeze himself into Paradise; but he was now to stalk into the great council-chamber of the kingdom, and deal blows

right and left at the only true believers. O'Connell and the Catholic Association were to complete this transformation. They had caused this shocking turmoil in the breasts of the saints, and were now to gather the harvest of their indomitable energy. No one dared now to stop them, or if he ventured it, did so at his own peril.¹

A proposal to transfer the seat of the rotten borough of East Retford to Birmingham now led to the sudden secession of Canning's followers from the Government; and the monotony of politics was likewise broken by the famous Clare election. William Vesey Fitzgerald, on his appointment to the Board of Trade, had been obliged to seek re-election at the hands of his former constituents in Clare, and O'Connell determined to bring all his influence to bear against him. The Catholic Association sent two envoys to Clare to invite William Nugent MacNamara—the Major MacNamara who acted as O'Connell's second in his duel with D'Esterre—a Protestant, to stand in opposition to Fitzgerald. One of the envoys was James Patrick O'Gorman Mahon (called the O'Gorman Mahon), an M.A. of Dublin University and a Catholic, and the other Thomas Steele, a Protestant, and a graduate of both Dublin and Cambridge Universities. Steele had joined the patriots in the Spanish revolt of 1820 against Ferdinand VII, and impoverished his estates in Clare by raising £10,000 in mortgages in aid of the insurgents. Major MacNamara refused to stand, as he felt himself to be under too many obligations to Fitzgerald. Accordingly on Tuesday, June 24, 1828, at a meeting of the Catholic Association, held at the Dublin Corn Exchange, with Stephen Coppinger, a barrister, in the chair, O'Connell was, on the motion of the O'Gorman Mahon, seconded by Richard O'Gorman, adopted as the Association's candidate for Clare. On Saturday, July 5, the poll was closed, the result being 2,057 votes for O'Connell, and 982 for Fitzgerald, that is to say, a majority for O'Connell of 1,075.² The Government now became alarmed lest the great agitator should plunge Ireland in rebellion, for the Protestant Ascendancy had experienced a signal defeat in the person of the Government's own creature, and O'Connell was virtual master of Catholic Ireland. Moreover, an overwhelming majority of the Irish Protestants of the better class pronounced in favour of the Catholic claims, and a great meeting presided over by the Duke of Leinster, which was held shortly afterwards in Dublin, declared itself on the side of Emancipation.

¹ Appendix XXVIA, extract from speech by R. L. Sheil.

² At the close of the first day the numbers were: Vesey Fitzgerald, 194; O'Connell, 200—majority 6. At the close of the second day O'Connell's majority had slightly increased. On the Thursday the numbers were: Vesey Fitzgerald, 842; O'Connell, 1820—majority, 978.

The Roman Catholic Primate of Ireland at this time was Dr. Patrick Curtis. He had been rector of the Irish College at Salamanca, and during the Peninsular War had given Wellington some useful strategic information. For these services he obtained a pension from the Government and was appointed Archbishop of Armagh by the Pope on the recommendation of Lord Castlereagh, the Foreign Secretary, at the time when Ireland was in a turmoil of protest against the inclination of the Holy See to agree to the Veto. On December 11, 1828, Wellington wrote in reply to Dr. Curtis that he desired a settlement of the Catholic claims, but saw no prospect of such a consummation. "If," he continued, "we could bury it in oblivion for a short time, and employ that time diligently in the consideration of its difficulties on all sides, for they are very great, I should not despair of seeing a satisfactory remedy." Although the letter was not intended for publication, the Primate sent it to the Catholic Association, where, greatly to Wellington's annoyance, it was read by O'Connell. A letter written by the Viceroy also got into the Press, criticizing Wellington's attitude and stating that the Catholic question "should not for a moment be lost sight of; that anxiety should continue to be manifest; that all constitutional (in contra-distinction to merely legal) means should be resorted to to forward the cause, but at the same time the most patient forbearance, the most submissive obedience to the law, should be inculcated." For this and other previous similar utterances Anglesey¹ was recalled. He left Dublin on the 19th of January, 1829, amid vast crowds, and was succeeded by the Duke of Northumberland. Peel and Wellington, now thoroughly alarmed at the complexion of the agitation and the possible consequences of further resistance on their part, came to the convenient conclusion that something must be done for those Roman Catholics to whom for years they had denied the ordinary privileges of their fellow creatures. The slightest hint from O'Connell would have set all Ireland in a blaze. The men of the South, marshalled horse and foot, were anxiously awaiting O'Connell's commands, whilst Sheil and Lawless, his lieutenants in the Catholic Association in Dublin, were equally eager and zealous to take some decisive step for the promotion of the cause. O'Connell was more sagacious. He knew that he was not powerful enough to fight the Protestants of England, although he might crush those of Ireland; he saw that a life and death struggle must eventually end in a defeat which might postpone the emancipation of the Catholics for years, and he gave, with a consciousness that he was doing his duty, the signal of peace to his followers, and so great was his authority that the whole nation without a

¹ Henry William Paget, first Marquis of Anglesey.

murmur settled down at his bidding. At length Peel, unaware of the convulsion which Ireland had escaped, wrote to Wellington offering to remain in office even were a Catholic Relief Bill to be passed, and thus broke the ice of his own intolerance. In the Speech from the Throne, 5th of February, 1829, both Houses were recommended to take into deliberate consideration the whole condition of Ireland, "with a view to the strengthening of the Executive for the repression of an Association whose continued existence was dangerous to the public peace, and inconsistent with the spirit of the constitution"; and at the same time "to review the laws which impose civil disabilities on His Majesty's Roman Catholic subjects." On the 10th of the month, in accordance with the first of these recommendations, Peel introduced a Bill for the suppression of the Catholic Association, but O'Connell was persuaded by some Whigs in London to anticipate the law, and voluntarily dissolve it. Accordingly on February 12, three weeks before the Suppression Bill received the Royal Assent, the Catholic Association met in the Corn Exchange, Dublin, for the last time, under the presidency of Sir Thomas Esmonde, and the motion for its dissolution was moved by Sheil and seconded by Lawless. The King meanwhile had been persuaded in the extremity of his bewilderment to consent to the new Ministerial apostasy, and a Relief Bill was accordingly prepared. But the Ministers little knew the character of their Monarch. What cowardice had gained for them, cowardice and vacillation were to take away. The Catholic Association had been suppressed, and the Bill was on the point of entering Parliament, when George IV at the last moment withdrew his consent to the measure. Peel and Wellington immediately resigned. This step shook the King's resolution, and on the evening of the same day he once more withdrew his opposition and gave his assent to the introduction of the Bill. Upon this Wellington and Peel thankfully resumed office, and the latter, who had for so long blocked the way to all reform in this direction, introduced the long-delayed measure into the House of Commons.

In bringing it forward he observed—

"I have for years attempted to maintain the exclusion of Roman Catholics from Parliament and the high offices of the State. I do not think it was an unnatural or unreasonable struggle. I resign it in consequence of the conviction that it can be no longer advantageously maintained; from believing that there are not adequate materials or sufficient instruments for its effectual and permanent continuance. I yield therefore to a moral necessity which I cannot control, unwilling to push resistance to a point which might endanger the establishments that I wish to defend. . . . It is because the evil is not casual and temporary, but permanent and inveterate—it is because the detail of

misery and outrage is nothing but the 'old story' that I am contented to run the hazards of a change. . . . I ask you to go back to a remoter period than it is generally the habit to embrace in these discussions—I ask you to examine the state of His Majesty's Government for the last thirty-five years, and to remark the bearing of the Catholic question upon that Government, the division it has created among our statesmen, the distraction it has occasioned among our councils, and the weakness it has consequently produced. I ask you then to observe what has been the course of Parliament for the same period. And, lastly, what has been the consequence of the divisions in the councils of the King, and of disunion between the two Houses of Parliament—the practical consequences as to Ireland."

There are few great careers in English political history which kindle the imagination so little as that of Sir Robert Peel. He was a model public servant, laborious, reliable, conscientious, devoted to official business however dry, and engrossed by one ambition only, the conduct of affairs of State. There was nothing that afforded him keener pleasure than to sit at an office-table up to his elbows in a pile of papers, surrounded by obsequious experts helping him to concoct a Budget out of their united information, and had any one suggested in a burst of philosophic candour that a Shakespeare sonnet was after all of more value to the human race than the best commercial report, the departmental grinder would have laughed in his face. He could work sixteen hours out of the twenty-four, and regarded with feelings akin to contempt any product of the human brain which could not be measured by a minimum scale of daily labour or so many shillings spent in lamp-oil. His watchwords were "prudence" and "respectability," and backed by the reputation of a "double-first" at Oxford, he managed the affairs of his country with the assurance of a master-pedant and the instincts of a tradesman. There was nothing he so much dreaded, therefore, as a street mob threatening to force the Government door, and life-long principles were flung overboard without a shiver, as the vane of public opinion veered round. There was at least one public occasion on which he betrayed something of the inner man—and is there any one who does not at times reveal the secret thoughts that pulse behind the mask of everyday wear? It was when he declined to serve in Canning's Administration in 1827, on the ground that he could not agree with the Prime Minister's policy of Catholic Emancipation; the true reason being the unendurable thought of playing second fiddle to a brilliant contemporary, who was just as good a scholar as himself and a greater orator: for little more than twelve months later he had himself made up his mind to concede to the Catholics that

very reform which Canning for many years had slowly bled to death for.

In spite of these blemishes, however, Peel had great political courage curiously allied with a horror of physical pain ; for when he fell from his horse in 1850 and fractured two of his ribs, he refused to allow the doctor to examine the seat of the mischief, the thought of any additional discomfort being too much for him, and so he perished. His manner was haughty, and his demeanour cold and almost forbidding, and the ordinary observer never dreamt how painfully sensitive to criticism he really was, or how highly strung. As a speaker he was weighty, and in debate unequalled in his time. He knew the House of Commons as a huntsman knows his hounds, but the feeling for him of his followers was less like the devotion of a dog for its master, than the respect of a tyro for the expert in a game. They heard the crack of his whip and came to heel, and he retained an absolute mastery over his party until at length they found he had betrayed them. But a less magnetic personality has rarely ruled in Downing Street. The man had hardly a flaw, and possessed therefore scarcely any charm. Frigid, austere, incorruptible, priggish, painstaking, and unassailably reserved, his virtues failed to preserve for him the allegiance of his friends, and merely served as a mark for the rancour of his enemies. We cannot picture him regaling a lady of easy virtue with a well-turned compliment or begging his creditors for an extra day, nor even giving vent to bad language or talking at random in his cups. Sir Robert Peel could have no more done these things than the Archangel Gabriel. But neither can we imagine him making an original observation or saying or doing anything without previously calculating its consequences with a foot-rule. An erring fellow-creature had no chance of sympathy from him, for his standard of morality did not acknowledge the inevitableness of vice, and therefore made no allowances for the frailties of humanity. There was no kinship between him and the sinner, and when he caught sight of a backslider he passed by on the other side. In fact, nothing would have convinced him that spiritual unworthiness and worldly respectability are quite compatible, and that charitableness is not only more important than the cast-iron code of egoistic prudery, but a necessary ingredient in the composition of a good man.

Peel will go down to posterity as a consummate Parliamentarian, who worked himself to the bone in the service of his country for the good reason that he had an absorbing passion for power, and honestly believed that no one had the character or the ability to manage the affairs of the nation so efficiently as himself. With a tincture of imagination, with a wider

sympathy for his fellow-creatures, and a more embracing philosophy, he would have transacted as much business and done it better.

The Catholic Relief Bill was read a first time on March 10, 1829, and passed the Commons by a majority of 178. It then proceeded to the Lords. During the debate in the Upper House, Wellington said—

“I am one of those, who have probably passed a longer period of my life engaged in war than most men, and principally, I may say, in civil war; and I must say this, that if I could avoid, by any sacrifice whatever, even one month of civil war in the country to which I am attached, I would sacrifice my life in order to do it.”

He believed Ireland was on the verge of civil war, and so after having for years strenuously resisted every step in the direction of reform, himself led a measure for the purpose and passed it. He thus laid himself very naturally open to the charge of inconsistency, which resulted in the celebrated duel between himself and Lord Winchelsea. Winchelsea had written a letter to the Secretary to the University of London in which occurred the following sentence—“Late political events have convinced me that the whole transaction was intended as a blind to the Protestant and High Church Party; that the noble Duke who had, for some time previous to that period, determined upon breaking in upon the Constitution of 1688, might the more effectually, under the cloak of some outward show of zeal for the Protestant religion, carry on his insidious designs for the infringement of our liberties and the introduction of Popery into every department of the State.” Hereupon, Wellington demanded that satisfaction “which a gentleman has a right to require, and which a gentleman never refuses to give.” The Prime Minister and the Earl met early in the morning in Battersea Fields, and were posted fifteen paces apart. The Duke fired first but without effect, and Winchelsea fired in the air. The latter then drew from his pocket a paper containing an apology; whereupon the Duke touched his hat, mounted his horse, and rode away, and the childish incident was closed.

The result in the Commons was 320 for the Bill, against 142, or a majority of 178. In the Lords, who at that time could vote by proxy, there were 226 present, and for the second reading 147 voted for and 79 against the Bill. The proxies were 70 for and 33 against—a majority of 105 for the measure. The division in the Lords on the third reading took place on Friday, the 10th of April, 1829, the majority for the Bill being 104. The Royal Assent was given on April 13, and the Act came into operation the following day. Roman Catholics had

previously been disqualified, not expressly as Roman Catholics, but by reason of a passage in the oath of supremacy denying the spiritual and ecclesiastical jurisdiction of the Pope, and a declaration against transubstantiation, the invocation of saints, and the sacrifice of the mass, administered to members in addition to the oath of allegiance before they were permitted to take their seats. Under the Bill, the old declaration against transubstantiation and other Catholic doctrines were abolished, and an oath of allegiance and supremacy substituted, testifying allegiance to the Crown; promising to maintain the Hanoverian settlement and succession; declaring that it is no article of the Catholic faith "that Princes excommunicated by the Pope may be deposed or murdered by their subjects; that neither the Pope nor any other foreign prince has any temporal or civil jurisdiction within the realm; promising to defend the settlement of property as established by law; solemnly disclaiming, disavowing, and abjuring any intent to subvert the present Church Establishment as settled by law; and engaging never to exercise any privilege conferred by that Act to disturb or weaken the Protestant religion or Protestant Government." On taking this oath Catholics were permitted to become members of Parliament, or of any lay body-corporate, to do corporate acts, and vote at corporate elections. They were admitted to the enjoyment of all municipal advantages and to the administration of civil and criminal justice. The army and navy had been open to them before. The only offices from which they were excluded were those of Regent, Lord Chancellor of England and Ireland, Viceroy of Ireland, and Commander-in-Chief of the Army, as well as all those connected with the Church, its universities and schools, and they were also precluded from all disposal of Church patronage. The insignia of office were forbidden to be displayed in any place of worship but those of the Established Church. Priests were prohibited from wearing their robes or vestments outside their places of worship; the introduction of further Jesuits was forbidden; other religious orders were rendered ineligible to receive property by bequest, and Catholic ecclesiastics were denied the right to assume the titles of archbishop, bishop and dean within the United Kingdom.¹ The extension of monachism within the Empire was likewise prohibited. Thus the long-delayed reform was accomplished and the doors of the Legislature were at last thrown open to Roman Catholics. Peel had turned his coat, and Wellington had followed the example, not out of remorse for the long obstinacy of their opposition to a just cause, or a sudden awakening to the truth that the Catholics had a right to

¹ Appendix XXVIII, the oath of supremacy, the declaration, and the new oath of allegiance and supremacy.

relief, but from political expediency, and a very natural desire to preserve their places and secure their ease. As Macaulay said of this measure in 1844—

“But those concessions were made reluctantly, made ungraciously, made under duress, made from the mere dread of civil war. How then was it possible that they should produce contentment and repose? What could be the effect of that sudden and profuse liberality following that long and obstinate resistance to the most reasonable demands, except to teach the Irishman that he could obtain redress only by turbulence? Could he forget that he had been, during eight-and-twenty years, supplicating Parliament for justice, urging those unanswerable arguments which prove that the rights of conscience ought to be held sacred, claiming the performances of promises in vain? Could he forget that two generations of the most profound thinkers, the most brilliant wits, the most eloquent orators, had written and spoken for him in vain? Could he forget that the greatest statesmen who took his part had paid dear for their generosity?”

It was not to be expected that Ireland would be very grateful. Such churlish wooing never won an Irish heart; so she shrank from it with a shudder, leaving the lover to swallow his rejection. But, *what did Hippocrides care?*

The measure of relief was accompanied by the suppression of the Catholic Association as an illegal and dangerous society, as well as by a Bill, which Peel introduced on the 5th of March, disfranchising the forty-shilling freeholders in Ireland and substituting in their stead ten-pound freeholders. The Irish forty-shilling freeholders were much less well off than the forty-shilling freeholders in England; in fact, they were little better than leaseholders, and entirely dependent on the landlord who created them.¹ On some estates the subdivision of lands had been carried to such an extent for the sake of creating this description of voters that they had been known as “warrens of freeholders.” In view of this immense political power the Government were afraid that, were their votes preserved to them, only Roman Catholics would have any chance of being returned to Parliament, and they consequently determined to

¹ Brownlow, an Ulster member, said in 1829—

“The freeholders were not free agents. They were driven by their landlords to the county-town, and locked up there until they gave their votes for their landlord’s favourite candidate.”

Lord Holland also said on April 6 of the same year in the House of Lords—

“Look, my lords, at the evidence of Archdeacon French before the Committee of 1825. ‘I have seen,’ he says, ‘herds of voters driven to the poll like cattle by a man with a large whip, riding on a mule.’ I asked him whether he saw the man use the whip in beating the voters. He replied, ‘I did not see the man use the whip in that way.’ I then asked how he knew that the whip was intended for the voters, and not for the mules. To which he replied that the whip was of such a kind, so large and so long, that the mules could not be struck with it, but that the voters might.”

obviate the difficulty by simple disfranchisement. What O'Connell had declaimed against was therefore on the point of taking place. He had said in 1828, "Sooner than give up the forty-shilling freeholders, I would rather go back to the Penal Code. They form part of the Constitution; their right is as sacred as that of the King to his throne; and it would be treason to the people to attempt to disfranchise them. . . . I would conceive it just to resist that attempt with force; and in such resistance I would be ready to perish in the field, or on the scaffold." But O'Connell had decided not to push his agitation farther, now that he had obtained the grand object of his ambition. Moreover, the Disfranchisement Bill did the Government considerable harm, for it was notoriously the result of fear that Catholic opinion might become strong enough to obtain a farther redress of grievances. Lord Duncannon, who opposed the second reading on the 19th of March, recognized this when he declared that, "But for the constitutional exercise of their franchise by the forty-shilling freeholders of Louth, Waterford, and Clare, the measure would never have been heard of." Palmerston also arraigned the bad policy of this restrictive clause, and the mean spirit shown by its originators, for in supporting Duncannon he said that he felt "an insurmountable dislike to the Bill, believing it to be unjust and unnecessary, and conceived in a spirit, not of conciliation, but of punishment and vengeance."

England, he said, would not tolerate such a measure. However, the Bill passed the second reading; the third reading was carried by a majority of 200, and the measure, which reduced the county constituency from 200,000 to 27,000 votes, finally became law before the end of March.¹

The flaws in this great reform were, that no concurrent provision was made for the Irish Catholic clergy, nor a commutation of the tithe effected at the same time. Moreover, O'Connell was not permitted to retain his seat for Clare, a mischievous prohibition savouring of petty spite, which was ultimately to do the Government infinite harm. He was anxious to be the first to take his seat under the Act, and, to avoid the delay of a county election, offered Sir Henry Denny, the proprietor of the borough of Tralee, £3,000 for its representation during the remainder of

¹ The number of Roman Catholics returned for thirty years after the passing of the Act was as follows—

New Parliament	1835	England	2	Ireland	38
"	1837	"	2	"	27
"	1841	"	6	"	33
"	1847	"	5	"	44
"	1852	"	3	"	51
"	1857-58	"	1	Arundel	34
"	1859	"	1		34

the session, but Denny refused the offer. On May 4, the Earl of Surrey, eldest son of the Duke of Norfolk, took the oath and his seat for the borough of Horsham, which belonged to his father, and was thus the first Catholic member under the Act. O'Connell presented himself in the House on May 15, and declared himself willing to take the oath set forth in the Relief Act which had just been passed, but not the old oath of supremacy. As, however, he had been elected before the passing of the Relief Act into law, the Commons, influenced by Peel, rejected his claim by 190 to 116, and decided that he must take the former oath, there being a clause in the Emancipation Act to the effect that the new oath was to be taken by Catholic members "hereafter to be elected," and as he declined to do so they ordered on May 21 that a new writ should be made out for Clare, and preparations commenced for a fresh election. Fitzgerald declined to stand again, so O'Connell was again proposed as candidate on July 30, 1829, by the O'Gorman Mahon and Tom Steele, and was returned without opposition. The Government and their supporters were angry with the great Irish agitator. After fighting him tooth and nail for many years, they had at length been driven into a corner with their tail between their legs; and, forced to drop the old bone of contention, could only impotently snarl at the man who had given them such a beating. The price the Government was doomed to pay for this fit of temper and O'Connell's temporary exclusion was a dear one. Fresh disturbances occurred in Ireland; an Orange procession in Armagh was attacked by Roman Catholics, and ten men were killed; whilst a pitched battle, in which one Protestant was killed and seven were wounded, took place in Clare. As a spur to this ill-feeling between the two creeds, Protestants who killed Roman Catholics were as a matter of course acquitted by Protestant juries, and as men's passions became inflamed by this flagrant perversion of justice every sort of lawlessness was let loose upon the country. In this spirit was the great Act carried out by the rulers of Ireland. Smarting under their ignominious defeat, their Ministers whining like whipped hounds in the corners of their offices, they had resolved at least to snap once more at their unsuspecting enemy before running away.¹

One of the results of the measure of Emancipation, foreseen probably by Ministers in passing the Bill, was that the Catholics belonging to the upper classes in Ireland were more or less reconciled to the Government; whilst their anxiety to help their Catholic brethren of humbler social position was rather diminished than otherwise. The reason for this is clear. The

¹ Appendix XXVIII A, quotations from Lord Wellesley and W. E. H. Lecky.

Bill opened the doors of Parliament and municipal corporations, and as this admission only directly affected Catholics of a certain fortune and status, their own personal grievance was removed, and with it the interest they had in agitating for reform.

What scope there would be for a philosophic pen in winding up a history of Catholic Emancipation! For it is an epitome of the policy of Ireland's governors—robbery followed by cruel persecution; then a gradual growth of public opinion, strong enough to irritate, but too weak to force the hand of the Ascendancy of the day. Then agitation, exasperation, outrage, promises of reform, failure to fulfil them, and crass ignorance and senseless brutality vying with one another in the government of the disordered country. Then increased agitation, crime and coercion, a greater volume of public opinion, a growth of menial fear in the rulers of Ireland, and lastly, after many years of insult and indifference, redress forced from authority, not through a consciousness of justice inexcusably delayed, but under the influence of menace, and menace alone.

CHAPTER IV

THE NATIONAL SYSTEM OF EDUCATION, 1831

"The difficulty of governing Ireland lies entirely in our own minds; it is an incapability of understanding."—JOHN STUART MILL (*England and Ireland*).

"Of the Irish qualities none is stronger than the craving to be understood. If the English had only known this secret we should have been the most easily governed people in the world. For it is characteristic of the conduct of our most important affairs that we care too little about the substance and too much about the shadow."—HORACE PLUNKETT, *Ireland in the New Century*.

THE first scheme of primary education in Ireland of which there is any record was due to the policy of Harry the Eighth.¹ An Act was passed under his auspices by the Irish Parliament in 1537 for the establishment of elementary schools in different parishes, which should be genuinely English institutions, where the Irish poor would be taught the English language. It was also enacted that such persons as could speak English should be promoted in the Church, and that every ecclesiastic in authority should take an oath not only that he would preach in English and instruct all under his authority to do likewise, but that he would keep a school for the teaching of that tongue. Under this Act the so-called "parish schools" were founded; their object being to afford instruction to those who spoke or desired to learn the English language, but to none other. The Act however was soon found to be nugatory. In 1788 there were, in 29 dioceses, containing 838 benefices, 361 parish schools, at which 11,000 children were being educated; but no Parliamentary grants were made for their maintenance, and the burden of keeping them up therefore devolved, nominally at least, upon the clergy, who had not the means, even if they had had the will, to charge themselves with their support. In 1810 there were, in 736 benefices—out of a total of 1,125—549 parish schools, probably the largest number they ever attained, attended by 23,000 children, the greatest number of the schools being in the northern dioceses and the fewest in the provinces of Munster and Connaught. Their founders had originally intended them to be thrown open to all children without any distinction of creed, but in course of time, owing to causes which even then were in embryo, they became confined to the lower classes of Protestants;

¹ The author is indebted to B. Barry O'Brien's comprehensive chapter on the National Education System in his interesting *Fifty Years of Concessions to Ireland*.

for they were under the control of the clergy of the Established Church and were therefore avoided, whenever any other source of instruction was available, by the parents of Catholic children.

Another class of seminary known as the Diocesan Free Schools, in part elementary, in part of a secondary type, was founded by Elizabeth in 1570. It was enacted that free schools should be kept in every diocese in Ireland, the whole diocese paying for the cost of the school-house, which was to be built in every shire town. The school-master, who was to be an Englishman, was to be appointed by the Lord-Deputy in all dioceses, except in Armagh, Dublin, Meath, and Kildare, where the Archbishops and Bishops of these dioceses were to be responsible for the appointment. Free Schools were hereupon established in most of the dioceses of Ireland. In the reign of George I, with a view to the further efficiency of these schools, the Archbishops and Bishops were empowered to set apart an acre of ground out of every property belonging to them for the site of a free school to be approved of by the Lord-Lieutenant; but, in spite of this, little progress was made. In 1810 the annual stipend of the master of a Diocesan Free School averaged from £25 to £40. The schools were all kept by Protestant clergymen, and Protestant children of the middle classes formed by far the greater part of the pupils. The total number of free scholars in 1810 was only 380, and the number of schools probably never amounted to more than sixteen. In 1857 there were only fourteen Diocesan Free Schools in operation, and in 1880-1 they were reported by the Endowed Schools Commissioners to be in a state of decay. In fact, they in their turn became exclusively Protestant from the same causes that influenced those of Henry VIII, and thus were shunned in like manner by the parents and children of the Roman faith.

The next educational step was taken in the reign of James I. In 1608 an order was issued from the Privy Council, applicable to the plantation counties—Armagh, Tyrone, Derry, Donegal, Fermanagh, and Cavan—to the effect that at least one free school should be appointed in every county. For this purpose 100,000 acres of the confiscated estates were set apart for "Church School and Corporation purposes," it being stipulated as regards the Corporate lands that a small portion of them should be reserved for the site of a public school. By 1621 four such schools had been established. The policy of James was continued by Charles I, and by 1632 seven Royal Schools, as they were called, had been established, six of them being grammar schools and the seventh an English school. They were nominally open to children of all religious persuasions, and Catholics, Presbyterians, and Anglicans were capable of becoming teachers. As a matter of practice, however, the headmasters belonged exclusively to the

Established Church, as in fact did the majority of the pupils. In 1633 Strafford, the "thorough" Strafford, complained to Laud that school lands were being misappropriated and the schools applied to the mere maintenance of Popish school-masters, and an Act in consequence was passed the same year by the Irish Parliament to redress the alleged evil. After the Restoration the state of all the Royal Free Schools was taken into consideration, and a measure was carried in 1662 regulating their future management, the Lord-Lieutenant being empowered among other things to remove all schools which were inconveniently situated to places more accessible to pupils and teachers. Although these schools were a trifle more flourishing than the Parish or the Diocesan Free Schools, their progress was insignificant, as was shown by the Commissioners of 1791, who reported that the number of pupils at them in that year was 211, and that out of that number there were only 38 free pupils. In 1879 the whole number of pupils on the rolls amounted to 380, the average attendance, however, being only 361. Of the 380, 322 were members of the Disestablished Church, 21 were Catholics, and 37 were Presbyterians. Therefore the Royal Free Schools were not really "free" in any practical respect, but devoted almost wholly to Protestant Episcopalians, an anomaly which was in keeping with the other features of Irish life.

The Erasmus Smith Schools had a more important history. In 1657 Erasmus Smith,¹ conscience-stricken perhaps by the irregularity of his gains, gave some land which he had acquired under the Cromwellian Settlement for the purpose of establishing and endowing a number of free grammar schools in Ireland. He expressed a wish that these schools should be Protestant in character, but he was apparently a man of broad mind, and they were first of all Nonconformist and subsequently Episcopalian. On the downfall of the Commonwealth he obtained a new Charter from Charles II, and consented that religious instruction should henceforward be given in the schools in accordance with the principles of the Established Church. According to the terms of Charles' Charter, those who desired to eventually enter Dublin University were to be prepared for that career. The number of poor scholars whom the Governors were empowered to admit was to be limited to twenty, save in the case of the tenants' children on the Erasmus Smith estate, where no limit was fixed. Provisions were further made for clothing those poor children and binding them, when fit, as apprentices to Protestant masters for the purpose of acquiring the knowledge of some craft. It was further provided that the surplus revenues of the estates

¹ Erasmus Smith (1611-1691). At the Cromwellian Settlement he received 666 acres of land in County Tipperary, and subsequently enlarged his holdings, till they reached in 1684 a total of 46,449 acres in nine counties.

should be applied to increasing the number of indigent scholars in the schools, and, whenever the rents exceeded £300 a year, to repairing and adorning the school-houses. Erasmus Smith had originally intended to found five schools, but he finally determined upon three, which he established in Galway, Drogheda, and Tipperary. In 1723, as the income of the estates had continued to increase, sanction was obtained for the establishment of an Erasmus Smith Exhibition in Trinity College. The Act which provided for the Exhibition also empowered the Governors to apply future surpluses to any of the four following objects at their discretion: (1) Trinity College, (2) The Bluecoat Hospital, (3) The education and apprenticing of poor children, and (4) The forming one or more Erasmus Smith English schools in Ireland. In 1791 the Commissioners reported favourably upon the management of the Erasmus Smith Trust and the general condition of the schools, and by 1807 the surplus rents had reached the sum of £35,000, which the Governors proceeded in accordance with the Act to apply to the foundation of English schools. Between 1808 and 1815, sixty-nine had been established, all of them being based upon the same principles as regards religious teaching, as had been laid down by the Charter of 1669, under which the grammar schools had been founded. Between 1839 and 1845, fifty-two additional English schools were established, and a new departure was taken in them in regard to religious teaching. Instruction out of the Church of England Catechism was to be no longer obligatory, the reading of the Bible and Bible instruction for all the children being required instead. This alteration of religious method had a tendency to make Catholics and Presbyterians look upon the schools with greater favour than before, although their Protestant Episcopalian character remained undisturbed. According to the Royal Commissioners' report for 1855-6, the total number of pupils in all the grammar schools at that time was 160, the average attendance being 116. Of these 160, 128 were members of the Established Church, 23 were Catholics, and one was a Presbyterian. The number of the English schools had meanwhile risen from 121 in 1843 to 140 in 1854-8, and in the latter year the number of pupils on the roll was 7,010, of which 4,293 belonged to the Established Church, 1,420 were Presbyterians, 875 were Catholics, and 47 adhered to various other religious persuasions. As regards religious instruction in 1880, the rules required that the children should read a chapter in the Bible to the teacher every day, whilst the latter was to explain the sense, but not to touch upon controversial grounds. These rules, which were strictly observed in the English schools, were relaxed in the grammar schools, and the reason assigned for this indulgence in the latter case was that as the children attending these last

establishments belonged to the better classes, they were more likely to receive religious instruction at home. The total number of pupils in the grammar schools rose from 160 in 1854 to 244 in 1880. The number of English schools diminished after 1854. There has moreover since that date been a decrease in the attendance of Catholics and Presbyterians in proportion to the total number of pupils. Out of a total of 7,010 pupils, there were at that time 825 Catholics, 1,420 Presbyterians, 4,293 members of the Established Church, and 47 of other religious persuasions ; whilst out of a total of 5,217 pupils in 1880, there were only 163 Catholics and 951 Dissenters, the members of the Disestablished Church numbering 4,103.

In this manner were these schools also almost entirely confined to Protestant children. Catholic educational propensities were therefore cramped, and the light that was necessary to illumine the minds of the poorer and larger population was concentrated upon and monopolized by a prejudiced and intolerant minority. The enlightenment of the Irish Catholic, from the first discouraged, was soon sternly prohibited by a savage penal code. The Catholic child was cut off from learning even the rudiments in his own land, and yet was expected to grow up and flourish like a young oak-tree, his roots strongly planted in loyalty to England, and possessed of sufficient knowledge, acquired God knows where, to be able to discriminate between the insufferable tyranny which springs from ignorance and intolerance and the beneficent policy of the rulers of his country. But, in spite of this legislative portent, hundreds of hedge schools sprang up throughout the country during the eighteenth century, where crouching under any shelter that offered, ragged little urchins drank in the words which their God had intended them to hear, but of which wiser men whom God had made were determined to deprive them.

The Bluecoat Hospital was the next institution in point of time, and exclusively Protestant Episcopalian. In 1672 the Corporation of Dublin obtained a Charter from Charles II for the purpose of erecting a hospital for the maintenance of the poor and aged, and also a free school for the education of the young. The establishment, which was thus created, was not used as a hospital, but as a school where poor children were instructed in the Bible, the principles of the Protestant (Episcopalian) religion, the English language, Euclid, navigation, and practical mathematics. Boys were admitted at eight years of age and apprenticed at fourteen to a trade or the sea service, with an apprenticeship fee of £5 for each boy. On the passing of the Irish Municipal Reform Act in 1840, it was declared that as the Charter of the hospital limited the benefits of the institution to members of the Established Church, the Corporation,

which had ceased to be exclusive, should no longer exercise control over its affairs. In 1880 the governing body consisted of fifty members, forty-six of whom were nominated by the Archbishops of Armagh and Dublin, the Lord Chancellor of Ireland, and the Bishop of Meath. The other four members were the Treasurer and three Governors of the Erasmus Smith Schools. The number of pupils at the same date was one hundred and one, and all of them were Protestants; in fact, both parents had to be Protestant in order to entitle a boy to admission.

In 1704, during Ormonde's¹ Administration, the Foundling Hospital was established for the accommodation and education of deserted children. The unhappy foundlings were received into the hospital from the time of their birth. They were then dispatched to the country to be nursed, and were brought back to the hospital at the age of eight, where they received education and were maintained until fit to be apprenticed to some calling. The Foundling Hospital, like the other institution, the Bluecoat Hospital, was an essentially Protestant Episcopalian establishment, the infants being as a matter of course cradled and reared in the doctrines of the Church of England. The abuses of this institution were incredibly bad. It seemed as though the whole object of its internal economy was to disencumber itself of the infants thrust upon its care, rather than to preserve their lives and rear them up to be useful and grateful citizens. The art of destruction through long practice was at length brought to perfection, and habit grew into the most callous indifference to the cruel sufferings of the wretched little Irish babes. A committee of inquiry into the state of the hospital was appointed in 1791.²

The villainous system upon which it was managed was made evident by the number of deaths that occurred in proportion to the admissions during seven years of its existence. In 1791, 2,192 children were admitted into the hospital, and 1,205 died; in 1792, 1,998 were admitted, and 1,281 died; in 1793, 2,205, and 1,287 died; in 1794, 2,253, and 1,285 died; in 1795, 2,101, and 1,470 died; in 1796, 2,037, and 1,279 died; and in 1797, 1,922 were admitted, and 1,457 perished of neglect and of ill-treatment worse than neglect. In 1797, certain necessary reforms were introduced in the management of the hospital, but the results shown by the institution were still of a highly unsatisfactory character. Between 1796 and 1826, 52,150 children were received, of whom 41,524 died either while in the hospital or at nurse in the country, whilst of the remainder 413 ran away, 526

¹ James Butler, second Duke of Ormonde (1665-1745). His was the thankless task of having to succeed the great Marlborough in 1712 in the conduct of the war in Flanders, when the latter was dismissed from all his employments.

² Appendix XXVIII B, quotation from J. A. Froude.

were transferred to the Charter schools, 1,127 were delivered up to the parents, 204 were apprenticed to school-masters, and 5,466 apprenticed to various trades. On January 5, 1826, 6,339 were in hospital, or at nurse, including 3,410 received prior to June 25, 1796. It was found that the children (a most unnatural crime) became devoted to their nurses, and this touching attachment of the motherless infants to these Catholic women at length alarmed the fearful Governors of the hospital, who resolved, in 1824, to remove from Catholic care all children above the age of four years. Between June 1824 and January 1826, 2,150 children were taken from Catholic, and placed in the country near Dublin under Protestant nurses, who were selected by clergymen of the Church of England. The parting scenes between nurse and child were in many cases heart-rending, but the Protestant authorities were proof against sentiment, and they conducted the transfer without a particle of remorse. The children brought up in the Foundling Hospital seem, after all these attempts to put them on the right path, to have often sunk very low. In fact, the Reverend John Beaseley, the Protestant chaplain of the Asylum in Leeson Street for the reception of unfortunate females, stated that "a very large proportion of our inmates came from the parochial schools and the Foundling Hospital." The hospital, which was chiefly supported by State aid, continued in existence up to 1838.

In 1733 a systematized policy was inaugurated and continued for a long period for the purpose of weaning the children of Catholics from their faith. Primate Boulter had in 1730 advocated the education of young Papists, and in 1733 the "Incorporated Society for promoting English Protestant Schools in Ireland" was established by Charter. During the year 1735 the first Charter school was erected in the town of Castle Dermot, and its founders charitably hoped that their system would make "the young of the Papists" Protestant, by attracting them to seminaries where they would be boarded and lodged and thus cut off from all the evil influence of their parents and priests, and where they could be eventually handed over stuffed with anti-Catholic prejudice and anointed with the holy oil of orthodoxy to Protestant tradesmen. The average annual income of the Society for the first four years of its existence amounted to £1,600; but the greater part of this sum was subscribed in England, where the "Corresponding Society" had been established as a helpmate of the Irish institution. In 1747 an Act was passed by the Irish Parliament by which hawkers and pedlars were obliged to take out licences, and the income accruing from this impost, which amounted to about £1,150 a year, was devoted to the support of the Association. In 1751 it obtained a Parliamentary grant of £5,000, and, seven years

later, another grant of the same amount was voted for the reception of those children who were of too tender an age to be admitted to the schools. Between 1761 and 1771 the annual average of grants to the schools amounted to £5,820, between 1771 and 1781 it rose to £6,100, between 1781 and 1791 to £9,000, and between 1791 and 1801 to £11,800. From 1807 to 1832 State aid was regularly voted to the Charter schools, so that between 1801 and 1832 the Society received altogether from Parliament the sum of £625,707. In 1832 the grant ceased altogether, the schools having received in this manner between 1733 and 1832 the large sum of £1,300,000. Although children of all religious persuasions were entitled by the Charter to enter the schools, the General Board and the Committee of Fifteen initiated the policy as early as 1733 of admitting Catholic children only; and in 1776 the Committee having discovered that Protestant children had been admitted to the schools, passed a series of strict regulations against the practice. When once a Catholic child had obtained admission, all communication between itself and its parent was from that moment completely severed; whilst in order to render the child the less susceptible to the influence of domestic affections, it was removed to some seminary situate as far as possible from its own home, where once kennelled within the walls of the school-house, it was permitted to see neither father, mother, sister, brother, nor friend, save in the presence of the master or mistress of the establishment. In 1784 the noble-minded John Howard,¹ the self-sacrificing prison reformer, who had visited many of them, urged an inquiry into the terrible state of the schools, but the apathy of the authorities could only be stirred by the instrument of the law, and no steps were taken. In 1787, therefore, he again demanded an investigation, and a Committee was appointed for the purpose in 1788, before which he himself, Sir Jeremiah Fitzpatrick, and others were examined in regard to the condition of these State establishments. It was stated by the Committee of Fifteen that the Society's establishments, schools, and nurseries amounted altogether to 2,100. Howard proved, however, that they were no more than 1,400. In his evidence before the Committee of Inquiry he said—

“The state of most of the schools which I visited was so deplorable as to disgrace Protestantism, and to encourage Popery in Ireland rather than the contrary,” whilst in many of the schools the “instruction, cleanliness, and health of the children had been grossly neglected; that they had not been allowed sufficient food,

¹ He died at Kherson, in Southern Russia, on January 20, 1790, of camp fever caught while in attendance on a young lady, who had been stricken down with the complaint. He was buried in a walled field at Dolphinovka (now known as Stevanovka), six versts north of Kherson. A brick pyramid was built over his grave, and a cenotaph of white freestone, with a Russian inscription, was erected to his memory at Kherson.

clothing, or other necessities; that in many of these schools they were half starved, half naked, and covered with cutaneous disorders, the effect of filth and negligence; while in some of those schools the children of the masters and mistresses appeared fresh, clean, and in good health."

And before the Committee of the Irish House of Commons he attested that—

"The children in general were sickly, pale, and such miserable objects that they were a disgrace to all society, and their reading had been neglected for the purpose of making them work for the masters."

At Longford he found twelve "sickly boys almost naked," and thirteen "miserable objects" at Clonmel. At the Innishannon boys' school the children "very dirty, and their clothes in rags. Several had the itch, and some had scald heads." On the very day that Howard saw these things, the doctor of the school, who was also a member of the local committee, reported "all the boys now healthy." He described the children at Castlebar as "puny, sickly objects, almost naked." Seven had scald heads, and almost all the itch. "The children had never been to church since they came." In the Leinster nursery at Monasterevan, he found all the children crowded into one room, seventy-eight of them being between two and six years of age. Of this nursery he said—

"The master calls himself an apothecary, and was lately paid six guineas for medicines. The impropriety of thus vesting the power of an apothecary and of the master in one man appears too plainly from the uncommon mortality among the children."

At the Connaught nursery at Monivea, he found twenty-two children, most of them from two to four years old, "in a very sickly condition, with the itch, scald heads, and sore eyes; some lay grovelling in the turf ashes. . . . The children lay in a large cold room, which extends the whole length of the house."

So much for Howard's evidence in proof of the solid comfort amid which the Irish children were taught the true faith. Sir Jeremiah Fitzpatrick visited twenty-eight out of thirty-two of the Charter schools between the years 1786 and 1787. Before the Committee of Inquiry in 1788 he said—

"The barbarous treatment which I had witnessed of some of the children in the school at Kilkenny was one of the first and principal inducements to persevere in the inspection of the other Charter schools."

In those other schools he found "the children puny and not in the state of health in which children generally are; they were in general filthy and ill clothed." He had seen them "without shifts or shirts, and in such a situation as it was indecent to look on. The diet was insufficient for the support of their delicate frames; their instruction was very much neglected. In general the children had the itch and other eruptive disorders. At Castle Carbery there was no appearance of a school-room; part of the window was stuffed with a turkish and dung, and there were about twenty-four ragged shirts and shifts. There were eighteen girls and fourteen boys in the school, most of them sickly, wretched-looking creatures, covered with the itch; two only could read, and all order appeared to have been neglected; but the masters' and mistresses' apartments were comfortable and well-furnished, and likewise the parlour, which served as a committee-room."

This shows the care with which the young Catholics of Ireland were reared, in the hope of reconciling them to the Protestant religion and the rule of the governors of their country. But in the eyes of Parliament, nauseated as it was by the evidence of Irish distress, the abuse was not bad enough, and nothing was done to remedy the evil. The Commissioners of Education in 1807 pointed out another grievance—

"We are concerned to state that a large proportion of the masters of children apprenticed do not receive the last part of their apprentice-fee, and the children the bounty for faithful service."

There were moreover other abuses which flourished in the Charter schools, and poisoned the relations, already hostile, which existed between Protestant and Catholic. Until 1808 a Protestant Catechism was used in the Charter schools which purposely misrepresented the doctrines of the Roman Catholic religion, and was so worded as to instil into its young readers an unnatural hatred towards the followers of that faith.¹

At length in 1825 a Royal Commission was appointed to inquire into the matter, and after a full investigation it issued its report condemning the state of the schools and the results shown by them—

"Independent of the objections, which, as it appears to us, may justly be made to the principle on which this society was established, we think that its constitution and management are each so defective, that no hope of any permanent improvement in the schools can reasonably be entertained."

¹ Appendix XXIX, quotation from Edward Wakefield.

As the shortest road to redress the Royal Commissioners recommended the discontinuance of Parliamentary grants; but their suggestions remained unheeded, and in the year after their report a grant of £19,500 was actually voted as though nothing had occurred. But not even gold could keep these putrid bodies alive. The organs being rotten the generative system impotently failed, and what remained of the disgraced and useless tenements silently hastened to decay and dissolution. Thus the Charter schools had disappointed the expectations of their originators, and having swallowed up several millions of public money completely and shamefully collapsed. They had never contained more than 1,400 pupils, and having finally degenerated into State-fed, but lean, discoloured establishments worthy of their origin, and lingered out their existence until the year 1832, when they received a grant of £5,700, they totally disappeared when their subsidies ceased. So much for the Charter schools, which were a discreditable example of the system of proselytism practised by the Protestants of Ireland.¹

In 1880 there were twenty-two schools in Ireland belonging to the Incorporated Society. Although they retained their Protestant Episcopalian character, they lost in a great degree their tendency to proselytize, and thus grew more in favour with the Roman Catholics. In the same year the number of all the pupils on the rolls of the schools of the Society amounted to 677, of which 27 were Catholics, 40 were Presbyterians, and 7 belonged to various other persuasions, the remainder being members of the Disestablished Church.

In addition to the foregoing educational establishments, there were various other proselytizing State institutions: namely, the Hibernian Military and the Hibernian Marine Schools; the Society for "Discountenancing Vice, and Promoting the Knowledge and Practice of the Christian Religion"; the "Royal London Hibernian Society"; the "Baptist Society"; and the "Society for Promoting the Education of the Irish through the Medium of their own Language."

The Hibernian Military School was incorporated in 1769 for the purpose of maintaining, educating, apprenticing, or placing in the army the orphans and other children of soldiers in Ireland. In 1818 it obtained a charter which provided that the children should be taught to read the Bible especially, and be instructed in the principles of the Protestant religion—a provision which remained in force until 1846, when pupils of the Catholic faith were at length admitted and permitted to receive religious instruction from the clergy of their own Church, who were appointed for the purpose. The school on the whole seems

¹ Appendix XXIXA, quotation from J. A. Froude.

to have been satisfactory, the Education Commissioners of 1810, 1854-8, and 1879-80 reporting favourably upon its administration and the general results shown.

The Hibernian Marine School was founded in 1775, six years after its military colleague, and on religious principles similar to those of the latter, for the purpose of "maintaining, educating, and apprenticing the orphans and children of decayed seamen in the Royal Navy and Merchant Service." But this school never enjoyed as prosperous a career as the military establishment, and its results were comparatively insignificant.

The Association for "Discountenancing Vice, and Promoting the Knowledge and Practice of the Christian Religion," was the next in date, being formed in 1792. In 1800 it was incorporated by an Act of Parliament, and the following year a grant of £300 was voted for its support. In 1806-8 the Society, though still adhering to its Protestant Episcopalian character, evinced a certain latitude in framing regulations for the management of the schools founded in connection with it. It was, of course, an indispensable condition that the teachers should be members of the Established Church, and that the catechism of the Church of England should exclusively be used, whilst the reading of the Bible assumed a prominent position in the curriculum of instruction. But members of all persuasions were now admitted to the schools, and although the reading of the Bible was obligatory upon every pupil, none, save a member of the Church of England, was compelled to attend the catechetical class. In this manner, notwithstanding that the schools established in connection with the Society were distinctly Protestant, Catholic children were not obliged to receive religious instruction in them. Between 1820 and 1824, however, their complexion changed, and they gradually evinced tendencies of a more proselytizing type. The Catholics, therefore, commenced to denounce them, and finally withdrew from them altogether, whilst the Parliamentary grants, which between 1801 and 1824 had amounted to £80,000, were shortly afterwards discontinued. The schools thereupon collapsed. The betrayal of trust had deservedly brought retribution in its train.

The next foundation of the kind was the "London Hibernian Society," established in 1806-8 by some London citizens for the purpose of promoting "pure religion" in Ireland. As a means to this end it was decided to distribute copies of the Bible and a multitude of religious tracts, and to found and support a number of schools. The latter, although directly controlled by clergymen of the Establishment, were to be thrown open to members of every sect; the teachers, who were to receive result-fees, were selected exclusively on the ground of their competency as such; and ministers of all persuasions were to be invited to attend. It was, moreover, laid down as a general rule that no teacher should

obtrude on the attention of his pupils the idiosyncrasies of his own religious opinions. The policy followed in these new establishments was to cram as great a quantity of Bible extract into the mouth of a child as it could hold in its cheek until the inspector made his periodic round, when it was once and for all, in the appropriate language of the Society's prospectus, "dispersed," the teacher being paid so much per quantum of holy, expectorated, undigested excerpt. After about thirty years of unprofitable existence, these ludicrous institutions, founded for the purpose of promoting "pure religion," were themselves dispersed, and vomited forth into the limbo of forgetfulness. Public ridicule had been too much for them.

The Cavan Regimental School for the Cavan Regiment of Militia was also established about the same time; and a society was formed for promoting the education of the poor of Ireland.

The "Baptist Society," another Protestant undertaking, first saw the light in 1814, and was worked upon the same principles as the London Hibernian Society. It also expired about the same period as the latter, *circa* 1838, its labours having been attended with similar inappreciable results, with the exception of furnishing material for three or four loud and echoing cachinnations at the expense of its educational methods.

The foundation of the Baptist Society was followed four years later by that of the "Irish Society for Promoting the Education of the Native Irish through the Medium of their own Language." The principle was defensible, for out of a total population of 3,059,281 in the provinces of Munster and Connaught more than two millions spoke Irish, and of this number half-a-million spoke no other tongue. The organization, which was supported by voluntary subscriptions and received substantial assistance from the British and Foreign Bible Association and the London Hibernian Society, did not strain its energies in the general education of the Irish-speaking people, for it restricted itself almost wholly to the dissemination of the Bible printed in Irish. As a proselytizing institution it utterly failed and is hardly deserving of the attention of history.

Among the various educational establishments the Nonconformist schools should not be forgotten. A Quaker school was established in 1774, a second in 1776, and two others in 1796 and 1798. The Royal Commissioners of 1857-8 said of these Quaker institutions—

"The Friends' schools are remarkable for neatness, order, cleanliness, economy, and attention to health, which prevail in them; for the business-like management of the trust funds, the judicious expenditure of the income, and the zealous and efficient nature of the local supervision exercised by the members of the community."

In 1785 the Presbyterian Belfast Academy was founded, and nearly a hundred years later it was reported by the Educational Commissioners (of 1879-80) not to be absolutely closed, work being carried on in two rooms temporarily erected for the purpose, and the number of pupils amounting to eighteen. Its results, however, were a negligible quantity.

In 1807-8 the Belfast Academical Institution was founded by the Northern Presbyterians, and in 1810 an Act passed for its incorporation and regulation. Its doors were thrown open in 1814, and for the next three years it received from Parliament an annual grant of £1,500. Although the management of the Institution was essentially Presbyterian, no attempt seems to have been made to interfere with the religious convictions of the Catholic and Anglican students, who entered either the college or the schools. But in 1824 differences arose between the Synod of Ulster and the Board of Faculty of the Collegiate Department, which disturbed the prevailing religious calm and detrimentally affected the working of the Institution. The Presbyterians of Ireland were divided into four principal bodies—the Synod of Ulster, the Seceding Synod, the Presbytery of Antrim, and the Synod of Munster. Now the suspicions of the Presbyterian Synod of Ulster were roused against the Academy on account of the Arian heresies which they alleged had been allowed to creep into its system during a course of years, and they therefore practically assumed a veto in the election of candidates to professional chairs in the college. A temporary compromise was, however, arranged, but the management of the Department continued in the hands of the Arians, and the Synod of Ulster finally split into two sections, and shaking the dust of Arianism from its feet, separated itself from the Academy and went its own way. The Collegiate Department, which suffered very much from the action of the Synod of Ulster, continued in receipt of State aid until the opening of the Queen's College in Belfast in 1849, but this support was then withdrawn, and the Department thereupon ceased to exist. In 1878-81 there were on the rolls of the Academical schools 230 pupils. The members who had separated themselves from the Synod of Ulster in consequence of the Arian controversy resolved themselves into a new body, called Non-Subscribing Presbyterians; whilst the non-seceding followers of Dr. Henry Cooke, that is to say, the great majority of the members of the Synod, adopted the title of the General Assembly.¹

¹ The Munster Presbytery, formerly non-subscribing, was incorporated with the Assembly in 1854. Cooke must have been a man of great force of character. He drove the Arian leaders out of the Synod, and practically transformed Belfast from a stronghold of Liberalism into a Conservative centre. The leader of the Arian opposition to Cooke in the Synod was Henry Montgomery, and even he in later life dropped his political Liberalism.

We now approach the subject of the Catholic schools. In 1781 the Act was passed repealing so much of the statutes of William and Anne as prohibited Catholics to teach in schools. But this unwonted grace was accompanied by a reservation to the effect that no member of the Catholic faith should teach or keep a school without having previously obtained the licence of the Ordinary, that is to say, of the Protestant Bishop of the diocese; whilst the licence might at any moment be arbitrarily recalled. This reservation was the cause of the Catholics omitting to make use of the Relief Act of 1781, as they would assuredly otherwise have done. In 1791 the Educational Commissioners recommended the abolition of distinctions in schools between scholars of different religious persuasions; and in the course of the next year an Act was passed for this purpose removing all the restrictions upon Catholics in regard to education, and placing them on more of a level with their Protestant fellow-countrymen, except that Parliamentary grants were, save in the single case of Maynooth, exclusively reserved for Protestant schools and colleges.

In 1793 a Catholic college was founded in Carlow by Dr. O'Keefe, the Catholic Bishop of Kildare and Leighlin, and Maynooth College was established and endowed by Parliament two years later, to be wholly devoted to the education of students intended for the priesthood.

Finally, in 1802, when the relaxation of the Penal Laws at length permitted the children of Irish Catholics to be instructed in the rudiments, the society of the "Christian Brothers" began to found their schools. These establishments were primary and strictly sectarian, and, although receiving no endowment and still less encouragement from the State, grew from very humble beginnings into a number of sound and efficient Catholic institutions. These saintly men, in addition to covenants of poverty, chastity, and obedience to superiors, took a vow to teach children without payment or reward. In 1881 there were 170 of these schools in Ireland, attended by 31,614 pupils, of whom 31,596 were Catholics, 15 Protestant Episcopalians, two Methodists, and one a Presbyterian.

The important "Kildare Street Society" was formed in 1811. The Managing Boards of all the schools established prior to that date had been exclusively composed of Protestants, and the Catholics, tiring of this monopoly and aware of a strong current running in their favour, now demanded that members of their faith should be appointed jointly with Protestants on the direction of the new schools; and as the Penal Code had long since been abolished their reasonable request was conceded. In 1811 the Association, at first known by the name of the "Society for Promoting the Education of the Poor of Ireland,"

and subsequently as the "Kildare Street Society," was formed on the principles of combined moral and literary instruction, coupled with the reading of the Bible without note or comment. Between the date of its establishment and 1814-15 the Society received no State aid whatever; but the Commissioners of Education having reported in 1812 that the system was the only one that had the remotest chance of success amongst the Catholics, a Parliamentary grant of £6,980, finally raised to £30,000, was voted in support of it during the session of 1814-15. In 1817 the Society moved from their humble quarters in School Street in the Liberties of Dublin to the more fashionable locality of Kildare Street, and from this time the history of the Kildare Street Society may be said to commence. O'Connell soon afterwards became a member of the Society. It undertook the education of teachers, and provided cheap schools which were thrown open to children of all creeds without distinction. But the benefit of this latitude was neutralized by one of the rules which enjoined that the Bible should be read in the schools, and this very soon resulted in advantage being taken of the rule to proselytize from a Protestant standpoint. Father John MacHale,¹ a young priest at Maynooth, now gave vent to his suspicions of the Kildare Society, on the ground of its being a proselytizing institution, and drew it by his ability into such disrepute that O'Connell and others resigned their membership. This last blow was fatal to its prosperity, and the Society finally collapsed in the great struggle for Catholic Emancipation. The charge of proselytism was not devoid of foundation. Out of the total of thirty-one members composing the Board prior to 1825, when the Royal Commissioners began their inquiries, there were only two Catholics; of the eight Vice-Presidents of the Society, six belonged to the Established Church, and only two were Roman Catholics; and out of a total of 204 subordinate appointments made in 1830, 171 were allotted to Protestants and only 33 to Catholics.

On the 9th of September, 1831, Stanley,² at that time Chief Secretary in the Grey Ministry, declared in the House of Commons, what indeed no one had any inclination to doubt, that the Kildare Society had failed in its object and that the system was utterly unfitted for the Irish people. He then brought forward his own plan of education, which was chiefly due to the constructive ingenuity of Lords Anglesey and Cloncurry, Plunket, who had just been appointed Lord Chancellor of Ireland,

¹ John MacHale, afterwards Archbishop of Tuam (1791-1881). On the 29th of January, 1820, he published the first of a series of letters, signed "Hierophilos," against the education together of Roman Catholics and Protestants.

² Edward George Geoffrey Smith Stanley, fourteenth Earl of Derby (1799-1869), afterwards Prime Minister.

and Blake. It provided for the establishment of a Board of National Education in Dublin, to which was transferred the grant which had hitherto been enjoyed by the Kildare Society.¹ The objects the Government had in view were three-fold—to provide at the charge of the State a good education for the children of the poorer classes of every form of religion; to guard against the proselytism which had up till now been employed, whenever opportunity had offered, against the young of Catholic Ireland; and lastly, to make education the medium for reconciliation between the warring races and faiths of Ireland. The new Board was to be composed of members of the Roman Catholic as well as of the Protestant Churches, and to be entrusted with the regulation of all the State-aided schools. Schools were to be established in every part of Ireland, and to afford to the children of every denomination the advantages of a combined moral, literary, and separate religious instruction, without subjecting the parents to any expense. Secular instruction was to be afforded to the pupils sitting together by teachers appointed by the State; whilst religious teaching was to be given to the pupils sitting apart according to their different modes of faith by the pastors of their respective communions. Selections only from the Bible were to be read in school-time on two days in the week, and the Bible itself was only to be read before and after school-hours on the remaining four. In this manner the Irish Catholic was placed in the new National schools on an equality with his Protestant fellow-subjects.

O'Connell and Sheil supported Stanley's scheme, and the grant for the schools was ultimately agreed to without a division. The next step was the creation of a central authority, and in accordance with Stanley's directions to the Duke of Leinster, a Board was formed composed of persons of "high personal character" and of different religious persuasions. Stanley's system, in fact, did not differ fundamentally from that of the Kildare schools, the principal divergence from the latter consisting in the fact that in the Kildare scheme the reading of the Bible without note or comment was compulsory in respect of all pupils attending the schools; whilst in Stanley's scheme it was not—that is to say, Protestant opinion alone was considered under the one, whilst a conciliatory attitude was adopted in the other, and an attempt made to meet the views of the different sects, as far as it was practicable. The Boards of the new schools were composed of Protestants and Catholics in the proportion of five to two, but even with this advantage on the side of Protestantism Stanley's scheme experienced the bitterest opposition from nearly the whole body of Protestants in Ireland. The Synod

¹ No assistance was given from the rates. Had such a levy been attempted, it would have met with the fiercest opposition.

of Ulster now commenced its series of attacks upon the National schools, which only terminated when almost every demand of the Synod had been conceded. It had been provided that the schools were to be kept open for moral and literary instruction for four days in the week, and for separate religious instruction for one or two days. This provision was at once seized upon by the Synod of Ulster, who maintained that the subject of religious teaching had not been sufficiently considered in the scheme, and proposed that the Bible should be read in the schools every day. The suggestion was agreed to, subject to the proviso that the reading in question should take place either on the first or last hour of the day, in order that the hours of secular instruction might not be broken in upon. But the discontent of the Synod of Ulster was still unallayed, and in 1832 it roundly declared against Stanley's opportunist scheme. On the 28th of February of that year Lord Roden, a well-known member of the Ascendency party in Ireland, presented a petition against it in the House of Lords, and more petitions of a like nature soon followed in its train, Lord Wicklow's motion against the National schools being rejected.¹

In 1833 the grants of public money for the education of the poor, which had previously been enjoyed by the Kildare Society and other proselytizing institutions, were entrusted to the Lord-Lieutenant to be expended on the instruction of children of all sects under the superintendence of Commissioners appointed by the Crown, who were called "Commissioners of National Education," and two years later these Commissioners were incorporated to hold lands. But the discontent of the irreconcilable Catholic-hater was not yet quenched, and in view of the reiterated outcry against the system, a select Committee of the House of Commons was appointed in 1833 to inquire into its administration. The chief grievances of its opponents were found to be three—first, that the Bible was excluded from the schools; secondly, that it was mutilated; and thirdly, that the passages selected to be read were twisted in favour of the Church of Rome. The evidence brought before the Committee was most of it tiresome and intricate, and nearly all of it misleading. The Protestants of Ireland were determined to cavil at Stanley's scheme, and between 1831 and 1837 they resolutely opposed it on every occasion that offered. The Catholics, on the contrary, with the important exception of John MacHale, were in favour of it. In 1834 this man had been raised to the Archbishopric of Tuam, and in 1838 he denounced the National system as he had formerly denounced the Kildare Street Society, maintaining

¹ Appendix XXX, quotation from Charles Greville.

that the Catholics on the Managing Board should be to the Protestants in the proportion of five to one, since five-sixths of the entire population of the country adhered to the Catholic faith. As it was, there were only two Catholics on the Board out of a total of seven members, and the whole work was practically done by two of the latter, Archbishop Whately¹ and Dr. James Carlile, both of them Protestants and non-Irish.

During the course of the same year a further concession was obtained by the Synod of Ulster. The rule had been that one "whole" day should be set apart for separate religious instruction, and at the instance of the Synod a new regulation was framed in 1838 substituting part of a day for the whole, the hours for religious instruction being fixed by the clergymen of the different denominations. But the Synod of Ulster was still unsatisfied, and they not long afterwards proposed that the hours for religious instruction should be fixed by the parents of the children so as to avoid any priestly interference, and a new rule was accordingly framed to meet their demands. Upon this MacHale declared that the Synod were converting the schools into exclusively Presbyterian institutions, and his vehement letters on the subject produced a profound sensation in Ireland and turned a strong light upon the whole controversy. There was certainly ample cause for dissatisfaction. Of the subordinate officials appointed up to 1836 there were only three Catholics out of a total of fifteen heads of service and first-class clerks; only four out of a total of nine second-class clerks; only nine out of a total of fifteen third-class clerks, and but twenty-one out of a total of fifty other functionaries in the schools. The chief inspector was a Presbyterian. Of the six head inspectors three were Catholic, and three Protestant; of twelve first-class inspectors six were Catholic and six Protestant; of thirty-eight second-class inspectors seventeen were Catholic; and of ten sub-inspectors six were Catholic. Again, out of five professors appointed to the model schools not a single one was a Catholic, nor even an Irishman; three were Scotch, one was an Englishman, one a German, and all of them Presbyterians. In 1839 Connaught opposed the National system, and the whole dispute was referred the same year to Rome. At the beginning of 1840 the Synod of Ulster obtained yet another concession for that province, the privilege possessed by the Catholic priests of giving religious instruction to Catholic children in the mixed schools of Ulster being taken from them. The effect of this reactionary legislation was to convert the Ulster schools into Presbyterian denominational institutions, and to cause the withdrawal of the Catholics from them. During the same year the

¹ Richard Whately, Archbishop of Dublin (1787-1863).

Catholics experienced a fresh rebuff, their demands for certain privileges in connection with the supervision of the instruction given to Catholic children being refused, which very naturally aggravated the opposition to the National system. At length, in January 1841, the Pope's decision arrived from Rome. He decided that the National system was entitled to a further trial, and commanded that all public controversy respecting it should be hushed. This decision, necessarily unpalatable to Dr. MacHale, was readily accepted by the whole Catholic hierarchy, and the turmoil of factious dispute soon sank to a whisper. In 1842 the ever-persevering, self-interest-seeking Synod of Ulster obtained a new concession. It had never relished the remnant of the rule which provided for the dedication of a portion of one day in the week to separate religious instruction, and in that year the fragmentary nuisance was removed. In this manner had the "fifty-two Popish holidays," as the Presbyterians were wont to call the days set apart for separate religious instruction, been gradually nibbled away, and the Synod of Ulster now lay back in conscientious ease, Dr. Cooke, their contented mouthpiece, seeing nothing but good in the National schools.

In 1845 the Board demanded that the property of all the schools should be vested in themselves, but they were confronted by a phalanx of Catholic opposition and were unable to carry out their design. They therefore abandoned their retrospective demand for the surrender of the existing schools or the forfeiture of their grants, but resolved that in future no grants should be allowed to any new schools except upon the desired condition. In this manner was the difficulty evaded. In 1847 the "Stopford" rule was passed, which abolished the old regulation prohibiting the children of one denomination from attending the religious instruction of another without the consent of their parents. The Catholics, of course, were greatly incensed and perturbed at this further inroad upon their rights, which they alleged would certainly lead, as was indeed the intention, by the directest road to proselytism. In 1850 the National system was formally condemned by the Synod of Thurles, which pronounced, as Burke had done many years before, in favour of a system of separate education. As a justification of this condemnation an attempt was made during the course of the same year to introduce Whately's books¹ into use among Catholics in the schools, and a renewed cry of warning was raised in consequence. This practice of attempting by underhand means to destroy the denominational character of the National system was continued and increased for the next seven years, and in 1858 John Francis

¹ *Scripture Extracts and Introductory Lessons on Christian Evidence*. As the majority of the Board finally decided not to retain them in the curriculum, Archbishop Whately resigned.

Maguire brought the matter to the notice of the House of Commons. Indeed the schools were rapidly becoming exclusively denominational upon the one side or the other. Out of a total of 394,725 pupils attending the schools in Munster, Leinster, and Connaught in 1856-7, 386,298 were Catholics, the remaining 8,427 consisting of Anglicans and Presbyterians. Stanley's scheme had therefore turned out a failure as a system of mixed education in the South and West of Ireland.

It was therefore resolved to modify the composition of the peccant Board, and in 1860 the Catholics were placed on a numerical equality with the Protestants upon it, the number of Commissioners being reduced to twenty, of whom the Catholics numbered half. It was, moreover, decided, in order to meet the wishes of the Catholics in this respect, that for the future no more model schools should be erected before Parliament had been consulted in the matter. But although this placed a restraint upon the arbitrary action of the Board, the Catholic party were not satisfied, and continued to press their demand either for denominational education pure and simple or a retrogression to the system in its original form. But the Government was determined to yield neither, and as the question remained unsolved, the natural consequences followed.

In 1880 the schools in Leinster, Munster, and Connaught were still practically, although not nominally, denominational, and almost exclusively attended by Catholic children, and principally conducted under the patronage of the clergy of the Roman faith. Thus in 1880 there were 669,595 Catholics out of a total of 699,199 pupils on the rolls of all the schools in the three provinces, 25,534 of the remainder being Anglicans, 2,601 Presbyterians, and 1,469 belonging to other denominations. In the same provinces the total number of schools under Catholic teachers, in which there was a mixed attendance of Catholic and Protestant pupils, was 1,867; the total number under Protestant teachers where there was a like attendance, 129; and the total number under the joint management of Catholic and Protestant teachers, similarly attended, 43. In these three provinces Stanley's scheme as a system of united education was therefore a palpable failure. In 1880 the number of schools had risen to 7,590, and the number of pupils on the rolls to 1,083,020, of whom 855,057 were Catholics, 115,269 Presbyterians, 102,218 Anglicans, and 10,116 who belonged to other Protestant Dissenting denominations.

Thus a summary of the history of the National schools for fifty years of their existence is a history of Protestant effort to stamp its opinions upon a country determined not to have them. For the first seven years of its foundation the system was strenuously opposed by every anti-Catholic section, whilst supported

by the Catholics themselves. The generality of Protestant Episcopalians refused to recognize the system at all, but the Presbyterians seemed from the first to be willing to give the system a fair trial, although they required its emendation, and between 1831 and 1840 they obtained a series of important concessions from the Board. The satisfaction of one side was necessarily the bane of the other, and Dr. MacHale in 1838 directed his battery upon the system. The attack, in the interests of the Catholics, came none too soon, for in the same year Whately began to purge the educational curriculum of those class-books which he believed not only assumed an attitude of tolerance towards the Roman Catholic faith, but taught the Irish pupil that love of his fatherland was one of the first virtues of a citizen. From 1840 to 1847 the National schools worked in an atmosphere of comparative calm as far as controversy was concerned, the Pope having in 1840 arrested the stream of MacHale's opposition with a temperance of spirit admirable in any man, admirable certainly in the representative of a religion that had suffered so much. In 1847 the "Stopford" rule was passed, and between that time and 1850 the agitation against the National schools was reopened. The death of Dr. Daniel Murray, the Catholic Archbishop of Dublin, occurred in 1852, and Dr. Paul Cullen, Archbishop of Armagh, succeeded him. The next year Dr. Whately retired from the Board, and between that date and 1860 there was an almost uninterrupted agitation on the part of the Catholics and the Protestant Episcopalians, who joined them, for a genuine system of denominational education. This led in 1860 to a reform of the schools on principles more congenial to Catholic susceptibilities, and between the years 1860 and 1880 the system was consequently less open to criticism.

A genuine welcome, however, was never extended to the National schools by the Irish Protestant clergy and many other laymen of the same faith; but that this apparent indifference was not the result of religious and educational apathy is proved by the fact that a "Church Education Society" was formed, which, in spite of its exclusive dependence upon voluntary subscriptions, supported nearly 200 purely Protestant schools. As for the Presbyterians of Ireland, the National system happened, curiously enough, to quadrate with their religious idiosyncrasies, and their complaints, therefore, did not continue to tincture the stream of discontent that flowed from other sects. Stanley's system was in the first instance almost received with gratitude by the Irish Catholic priesthood, but gradually, as we have seen, there grew up opposition to it from that quarter. The Catholic element on the Commission was numerically much too weak, and the Protestant element consequently acted as an irritant. Moreover,

the secular instruction in the schools assumed a religious colour and began to be insidiously used as a medium for proselytizing. Thus a warning cry against Protestant perversion was naturally raised; and the National system with its faults and its sound parts was solemnly condemned in 1850 at the Synod of Thurles. The real grievances of the Irish Catholics in this matter were, however, gradually nearly all removed. Secular instruction in the schools was made genuinely and strictly secular; the Catholic Commissioners were made equal in number with the Presbyterian and Protestant; attempts to proselytize were rendered impracticable, and the Catholic priesthood became the managers of a large majority of the schools. In 1901 there were nearly 9,000 National schools, drawing about £1,300,000 from the State, teaching nearly 200,000 pupils, and supported by model and training schools. But the system, as it was originally framed by its founders, wholly changed, for the National schools became almost entirely sectarian, that is to say, composed exclusively either of Protestant or of Catholic children, the "mixed" schools being comparatively rare. Regard, however, was still paid to the main principle of the system, for a conscience clause secured that only secular instruction should be given to the pupils sitting together, whilst the Bible could not, even in a Protestant school, be read in school hours, and no Catholic school was permitted to display a Catholic emblem. But the clergy of the Disestablished Church and a large part of their flock remained hostile to the National system of education, and this antagonism is easily explained, for the system, if not actively irreligious, did not in any sense assimilate religion as an essential part of school life. It was not woven into the texture of the garment, and at the age when mankind receives those impressions which are never effaced, but which harden into the constitution and round which the prejudices of later growth rear their head, the fact was plainly manifested that religion could be one thing and education another, that they could be even opposite and contradictory, that the one could call a thing evil and the other good. Thus were the two little philosophies of man, the philosophy of knowledge and that of faith, stifled in their separation, when in their union they would have produced the third philosophy and the best.

CHAPTER V

THE SEVEN YEARS' TITHE WAR, 1830-8

"I wish, for the sake of humanity, and for the honour of the Irish character, that the gentlemen of that country would take this matter into their serious consideration. Let them only for a moment place themselves in the situation of the half-famished cottier, surrounded by a wretched family, clamorous for food; and judge what his feelings must be, when he sees the tenth part of the produce of his potato garden exposed at harvest time to public cant; or, if he have given a promissory note for the payment of a certain sum of money, to compensate for such tithe, when it becomes due, to hear the heart-rending cries of his offspring clinging round him, and lamenting for the milk of which they are deprived, by the cows being driven to the pound, to be sold to discharge the debt. Such accounts are not the creation of fancy; the facts do exist, and are but too common in Ireland. Were one of them transferred to canvas by the hand of genius, and exhibited to English humanity, that heart must be callous indeed that could refuse its sympathy. I have seen the cow, the favourite cow, driven away, accompanied by the sighs, the tears, and the imprecations of a whole family, who were paddling after, through wet and dirt, to take their last affectionate farewell of this their only friend and benefactor at the pound gate. I have heard with emotions that I can scarcely describe, deep curses repeated from village to village as the cavalcade proceeded. I have witnessed the group pass the domain walls of the opulent grazier, whose numerous herds were cropping the most luxuriant pastures, whilst he was secure from any demand for the tithe of their food, looking on with the most unfeeling indifference."—EDWARD WAKEFIELD (*An Account of Ireland*).

BEFORE the English invasion, the Catholics of Ireland supported their Church by voluntary gifts, but after that event an innovation was made in the system, and decrees were passed at the Synods of Cashel and Dublin in 1175 and 1186 respectively, directing the payment of tithes to the clergy. Up to the time of the Reformation, however, these injunctions were only obeyed within the Pale, and in order to give belated effect to the dormant law an Act was passed in 1541 to provide for the extension of the tithe system throughout the country and to secure conformity to it. But this enactment remained likewise a dead letter until the reign of Elizabeth, when with the establishment of the Protestant religion in the island as a State institution, the payment of tithes was for the first time rigidly exacted. The privilege of receiving tithes was at first confined to the Protestant Episcopalians; but on the colonization of Ulster by James I the Presbyterians were admitted to the same right. At the restoration there was a reversion to the original system: the Presbyterians were deprived of their tithes and livings, and the monopoly of tithes was left to the Episcopalians.

Soon, however, the Episcopalians and Presbyterian graziers, not deeming the consolations of religion sufficient compensation for the inconvenience of the tax, refused to pay the tithes on pasturage, and the tithe agistment Acts which exempted pasture-lands from the tax were passed in consequence about 1735. This measure led very naturally to the increase of pasture and the accompanying decrease of tillage land, until Parliament wishing to counteract this tendency offered bounties in 1780 for the cultivation of land. In 1785 the Catholics, who like their fellow creatures of the other faith considered the mysteries of the Protestant religion somewhat dear at the price of starvation at home, began to rebel against the tithe system and the hard cunning of the tithe proctors. Their complaint was certainly well founded, more especially in the southern districts, for there the great tithable article was potatoes, a product not tithable in the north, and potatoes were the only food of the people. The injustice of the system was in the eyes of the Ascendency one of its chief recommendations. To gall a Catholic was to prove one's loyalty, and nothing seemed fairer to a churchman than that prayers should be offered up for a heretic's repentance and the Almighty dunned in his behalf at the cost of a Papist dog; and the cost was heavy, for it was borne almost entirely by the ragged Catholic peasantry.¹ But this was not heeded by the Irish Church. Her inclination and interest went hand in hand. Catholic Ireland was a sponge to squeeze, and as long as there was any moisture in it, it was her duty before God to have it out.²

The discontent among the Presbyterians of the north was also very bitter, and there is no doubt that one of the chief causes of their adhesion to the cause of the United Irishmen was their hatred of the oppressive and indefensible system of tithe exactions.³ The discontent in the latter case the Government in

¹ J. A. Froude says—

"The wealthy Protestant grass farmers ought to have been the first to bear the expense of the Protestant Church. They paid nothing at all. The cost of the Establishment fell, in the south, exclusively on the poorest of the Catholic tenantry. The Munster cottier paid seven pounds a year for his cabin and an acre of potato ground. The landlord took his rent from him in labour, at fivepence or sixpence a day; the tithe farmer took twelve to twenty shillings from him besides, and took in addition from the very peat which he dug from the bog a tithe called in mockery 'smoke money.'"

² The impartial and learned Wakefield wrote in 1812—

"Instead of directing our views to Ireland, which might be rendered, not only the store-house, but the best bulwark of Great Britain, the whole policy of the country has been to render its inhabitants inert, to damp their spirit as well as their industry; and while those objects which are calculated to raise them from their torpor or reclaim them from idleness are withheld they are ungenerously reproached for indolence, and punished for being unruly; as if insubordination were not the natural consequence arising from such treatment."

³ "Of all institutions," says William Paley, "adverse to cultivation, none so noxious as tithe, not only a tax on industry, but the industry that feeds mankind."

vain attempted to allay by an increase in the grant of the *Regium Donum* to the Presbyterians in 1803; but the antidote was not administered from a sense of justice, but in order to cripple a damaging opposition; for the Catholics, who stood in need of relief most of all, and whose creed varied far more widely from the Protestant religion than that of the Presbyterians, were sent hungry away. The tithe system in view of the state of the Protestant Church was indeed not only indefensible—no one presumed to defend it upon principle—but tyrannical in the extreme. There were six million Catholics, and only eight hundred thousand Protestant Episcopalians. In order that the very few should have the benefit of a particular and endowed religion, it was made a law of the land that the vast majority should famish. But though buffeted by fortune the Catholics of Ireland did not desert their faith. Evil times made them the stauncher; hardships lent them courage; and, with a constancy that was scarcely human, they clave to their independence and supported their priests when starvation stared them in the face.¹

In the parish of Mansfield town in Armagh there were 1,067 inhabitants, of whom 1,063 were Catholics and only four were Anglicans, but the minister was paid two hundred and sixteen pounds a year to preach to these four persons. In the parish of Templebreedan in Emly the minister's income was ninety-three pounds, but there were only two Anglicans out of a population of 1,414, all the rest being Catholics. In the parish of Castletown in Cloyne the minister's income was four hundred and fourteen pounds, the inhabitants numbered 3,296, of whom 17 were Anglicans and all the rest Catholics. In the parish of Clonmult in Cloyne there were 1,196 inhabitants, of whom only one was an Anglican, all the rest being Catholics, but it cost one hundred and seventy-six pounds a year to coax this one sinner into Paradise. Besides the tithe exactions, Church cess also contributed largely to the revenues of the Establishment.²

At length, in 1823, Goulburn's voluntary Composition of Tithe Act was passed. The year before, a measure had been carried which permitted the tithe proprietor to let the tithes on lease to the owner of the land. Goulburn's Bill empowered the Lord-

¹ Sidney Smith wrote—

"On an Irish Sabbath morning, the bell of a neat parish church often summons to worship only the parson and an occasionally-conforming clerk, while, two hundred yards off, a thousand Catholics are huddled together in a miserable hovel, and pelted by all the storms of heaven."

² Lord Althorp said of this impost—

"Church cess was a tax imposed for maintaining churches and for meeting the expenses of religious service. In Ireland this rate, though paid by a Catholic population, was under the exclusive management of a Protestant vestry. It was (unlike tithes) an uncertain tax which varied according to the purposes for which it was applied. It might be increased by abuses of management, or it might be diminished by frugality; but in neither case had the Catholic the means of exercising any control over the money so levied upon his property."

Lieutenant, on the application either of the incumbent of a parish, or a certain number of the tithe-paying inhabitants, to summon a special vestry for the purpose of agreeing upon a composition for tithes, on the basis of an average price of corn for the preceding three years. The incumbent was to appoint one commissioner, and the inhabitants another; and the two commissioners, in the event of disagreement, were to nominate an umpire, and the amount of compensation for tithe to be thus determined. The sum, so fixed, was to be apportioned by assessors among the various holdings in each parish which were not tithe-free. Lands which were tithe-free were to continue so; but agistment or pasture land, that had till now been exempt from tithe, was in future to be made liable to the impost. Goulburn's Bill was a permissive one, the composition being purely voluntary. It was a slight step in the right direction, but conferred a benefit on the miserable cottier which was almost inappreciable after a little time. His lot was a dour one.¹ He was oppressed by the weight of the tithes and soured by the method of their collection, and his daily struggle with hunger and ferocious desire to live, were a perpetual disgrace to the Established Church. In the summer of 1823 the rector of Castlehaven, in Cork, finding it impossible to obtain his tithes, procured a distress warrant, and ordered his proctor with the help of five special constables to execute it, whilst four mounted men and seven dismounted constables, under the command of a lieutenant, were deputed to assist. The rector had thus obtained the services of an armed force of eighteen men to collect what his Church assured him was his due. They proceeded to seize a few cattle, and commenced to drive them to the rector's premises. But upon this they were surrounded by the country-people, who, exasperated by the injustice of the exaction, attacked them with volleys of stones. The police then fired on their assailants, but as they were unable to break through with their spoil they were forced at length to leave the cattle and to beat a retreat. The skirmish resulted in the proctor and one of the constables being killed and several others of the party being wounded, whilst the peasantry suffered equal loss. Such was the state of affairs in Ireland. Religion, armed with a sword, went about like a destroying angel.²

The success of Goulburn's Bill, although a mere temporary alleviation, was decided. Before the middle of the following February 1,033 applications,—507 from the clergy and 526 from lay impropiators—had been made from different parishes; and

¹ The squalor of the peasantry, the filthy condition of the prisons, and other aspects of Irish life are graphically described in *Travels in Ireland in the Year 1822*, by Thomas Reid.

² As Sidney Smith said—"There is no cruelty like it in all Europe, in all Asia, in all the discovered parts of Africa, and in all we have ever heard of Timbuctoo."

in 240 cases a basis of agreement had already been found, the parties themselves having arranged the terms of the composition. The year after Goulburn's Bill was passed, Select Committees of both Houses of Parliament were appointed to inquire into the nature of the Irish disturbances, and having collected a vast mass of evidence thought they had done their duty.

Meanwhile a new proselytizing movement had been inaugurated under the name of the "New Reformation," its object being the defamation of the Catholic creed and the conversion of Catholic peasants from the errors of Popery. It proved to be the immediate source from which the Tithe War shortly afterwards sprang. Tithe owners from a tardy sense of the injustice of the practice had latterly been accustomed to avoid exacting tithe from Catholic priests, but some of the Protestant clergy determined to exact the last penny that was due, and as they applied the proceeds to purposes of proselytizing, grave discontent arose in consequence among the Catholics. The collection of tithe became in some cases almost impossible, and the expense of collecting them greater than the tithes themselves. In 1830 the Catholic parishioners of Graigue refused to pay tithe to MacDonald, the *locum tenens* and a "new Reformer," and this opposition started the ball rolling afresh. Payment of tithe, where no composition had been arranged, was now frequently resisted, and outrages arising out of this state of affairs became general. On June 18th of the same year occurred the Newtown Barry incident. Some cattle seized for tithe by the Reverend Alexander McClintock were put up for sale under a guard of police; but the mob charged the guard, and 190 of the yeomanry had to be called out, and by the time the affray was at an end twelve of the peasants were shot dead and twenty fatally wounded, the yeomanry escaping with scarcely a scratch. In August the peasants determined to resist the objectionable visits of the process-server at Thurles. The police intervened to support him, and before they could effect their retreat to Thurles with their *protégé* a number of the peasants had been killed and many wounded, the police themselves escaping scathless. A few weeks later a similar encounter took place at Castle Pollard, in the County Westmeath, where many of the peasants were shot down like partridges, the police as usual escaping unhurt. These were a few instances out of many of the way in which the Protestant clergy collected their tithes, and the agitation was becoming every month more serious.

It is difficult, perhaps, for you to understand, humane and courteous reader, the passions roused by this imposition. Reclining, as we may suppose you, in an easy-chair in some comfortable establishment, with every necessity of life and almost all its pleasures within your reach, it is hard for you, nay, it is

impossible, to place yourself even for a moment in the position of the Catholic tithe-payer, who was forced to squeeze from his own miserable subsistence these doles to an alien faith. He, this Papist, this irredeemable heretic, had a soul like you, maybe a mind as pure, a pride as sensitive, a courage as unshakable, feelings as tender, and a love as deep for the God of his religion as you may boast of, oh excellent, leisured, impartial reader. He had his scheme of life, his little scroll of destiny folded in his breast, his aspirations, his yearning after truth, his disappointments like any other man. His eye was as keen, his anatomy as noble, his mind as active, his importance in the world's economy as great as that of any other man. What was it then that hung upon him like a ton weight, that dragged him down and crushed his efforts; that, in spite of his divine origin and indestructible soul, set a seal of shame upon him, which he feared could perhaps only be wiped out by the blood of his oppressors? Was it his sin? No, that could not be, unless Protestant morality was a law unto itself. Was it his birth? No, unless the more ancient the blood, the more disgraceful the origin. Was it his wealth? No, unless the poverty of the poor was a bait for the rapacity of the rich. Was it his power? No, unless the weakness of slavery had nerved the sinews of the national arm. It was none of these. His religion was the only bar. His faith made him poor, and miserable, and oppressed. His divine origin counted for nothing with Catholicism in the way; yet, as with bloodshot eyes he reeled and staggered on from day to day with just sufficient nourishment to stimulate his agony, with his children dying in his arms for want of food and proper shelter, and his wife in her labour sinking with exhaustion amid the filth of a reeking mud-hut, he blessed the marvellous virtue of that creed which gave him solace, and filled him with rapture, and bade him not despair, when God knows in this world there was nothing more to hope for. This was the religion that in the eyes of the Protestant world disgraced its followers and debarred them from the blessedness of justice.

The process-server of Dr. Butler, a pluralist in Kilkenny, was murdered about this time, and pitched battles were continually taking place between the police and the people with serious loss of life; while filibustering bands of Blackfeet and Whitefeet harried the countryside, threatening landlords and demanding reductions of rent. An anonymous authority in Queen's County ordered an abatement of five shillings in the rent of every acre of land in the county, and threatened the reluctant landlord with "the disagreeable necessity of visiting you personally, and to terminate, not your lease, but your existence." In 1831 a considerable force of police, who were protecting a tithe-proctor at Higginstown, in Kilkenny, were suddenly attacked. The

process-server and eleven of the police were killed, and sixteen others wounded; but the Government, as in this case, were rarely able to bring the offenders to justice, since Irish juries were reluctant to convict their countrymen of outrages against landlords, and, even if willing to do so, did not dare. In fact, the Irish Protestant clergy had in hundreds of instances to live without their tithes. In December 1831 occurred the Knocktopher incident. The rector, Dr. Hamilton, had refused a reduction of five per cent. in the tithes, and the peasantry therefore were determined to take the matter into their own hands. They declined to pay, and resisted the process-serving, and in a savage encounter with the police, who were called in to coerce their contumacy, the latter were routed with a loss of eleven killed and seventeen wounded, the peasants also losing many men.

This bloodshed at length aroused the sleeping energies of Parliament, and a Committee of the House of Commons was appointed in 1832 to inquire into the whole structure of the tithe system, which led to a truce in the campaign of exaction and resistance. As a result of the advice tendered to Parliament by the members of this Committee, it was proposed in March 1832 that a sum not exceeding £60,000 should be paid to the clergy; that the Government should be empowered to recover the amount so advanced from the tithe-payers, and that a measure amending the tithe laws should be introduced. These proposals were favourably received, and a Bill was brought in by Stanley, and passed on August 16, 1832, embodying part of the suggestions. By it the composition for tithe was made permanent and compulsory for a term of twenty-one years, and another Act was passed which provided for the advance of £60,000 from the Consolidated Fund to the distressed incumbents, and authorized the Government to take the necessary steps to collect arrears, a provision which was vehemently opposed by Daniel O'Connell. Two other Bills, however, which were introduced by Stanley at the same time, the first to establish ecclesiastical corporations with power to hold land in Irish dioceses, and the second to enable the tithe-owner to sell, and the ecclesiastical corporation to buy the tithe, were rejected.

The disturbances of 1831, which had experienced a lull during the Committee's inquiry into the tithe system and the passing of Stanley's measures, broke out again in April 1832, Whitefeet, Blackfeet, Terryalts,¹ Lady Clares,² Molly Maguires,³ and Rockites producing a state of anarchy in which the good

¹ In the counties of Limerick and Clare.

² Who sprang from the Whiteboy Movement.

³ They were chiefly confined to Cavan, Leitrim, and Armagh, and grew out of the Ribbon Society.

suffered occasionally with the bad. Mr. Coote, rector of Doon, in the county of Limerick, seized a cow belonging to a Catholic priest in payment of tithe, and the sale of the animal led to a riot between the peasants and the troops, which ended in many of the former being wounded. Soon afterwards a large anti-tithe meeting was convened and presided over by Pierce Butler, J.P., D.L., a Protestant Episcopalian ; but this distasteful and significant incident was not allowed to pass unnoticed, and the Castle issued a circular suppressing the right of public meeting altogether. But the Castle was the last authority to stifle the feeling of exasperation, and in 1832 O'Connell began to agitate for a Repeal of the Union in view of the persistent refusal of the Government to abolish the tithe system. Soon afterwards, on the 5th of September of that year, the Wallstown incident again broke the religious calm. The Reverend Mr. Gavin, accompanied by a party of police, a detachment of the 92nd Highlanders, and a detachment of the 14th Foot, proceeded with a staff of valuers to value for tithes the lands in his parish, the whole force being under the command of one admiral, two generals, and three magistrates. The spiritual zeal of this worthy cleric may be gathered from the fact that the population of Wallstown consisted of 3,163 Catholics and one Protestant. In the affray which followed between the military and the peasants, many of the soldiers and police were bruised, but none killed, whilst of the peasants four were killed and many seriously injured. Thus Gavin obtained his tithe, and maybe the cure of the soul of his one Protestant sinner weighed favourably in the balance against the ninety and nine that he could not persuade to enter his fold. In October occurred the Rathkeeran massacre. Captain Burke, inspector of police, was posting up tithe-notices near Rathkeeran, County Waterford, when two hundred peasants quietly assembled to watch the operation. Becoming alarmed at the possibility of what they might do, he bade them retire, but they refused. He then gave his force the order to fire, and twelve of the peasants were instantly killed and many others wounded. Among them was a young girl, named Catherine Foley, who was shot full in the face, a musket-ball passing in at her mouth and out at the back of her head. These disturbances continued during the rest of the year and throughout 1833, extending over the whole of Leinster. Associations of men, known as "Pacificators," organized the disaffected elements in the country and defied the powers of the Irish Government. The people dared not resist the decrees of these bodies, so great was the terror of their reputation, for death was almost the invariable result of disobedience to their commands.¹

¹ That these disturbances were not countenanced by the Irish Catholic clergy is shown by Goldwin Smith in *Irish History and Irish Character*—

The methods usually employed to resist the payment of tithe were to allow a defaulter's goods to be seized, and then to prevent a sale by every kind of intimidation. Boycotting in this manner became common and the hirelings of ruffianism were let loose over the land. Thus a Member of Parliament about this time leased some land to a Scotsman and was served with a notice from "Captain Whitefoot" that the Scot must go. A little later an old man of seventy refused to give up a small piece of land which he had hired in opposition to the views of the Regulators, and was dragged from his house and brutally shot. During twelve months in Kilkenny 32 murders, or attempted murders, were perpetrated, 34 houses burned, the cattle of 36 farmers houghed, and 519 burglaries and 178 serious assaults committed. In the same period in Queen's County there were 60 murders, 626 burglaries, 115 malicious injuries to property, and 209 serious assaults on individuals, whilst peaceable people were afraid to give evidence against the malefactors. Lalor's son was supposed to have been an eye-witness of his father's murder, but, cowed by the terrors of revenge, he refused to disclose the names of the perpetrators of the deed. At a trial at Kilkenny the jury was dismissed, as the members of it were unable to agree upon a verdict, whilst the names of those who had desired a conviction were printed in scarlet letters on a placard headed "Blood! Blood! Blood!"; and they were forced by sheer terrorism to leave the country. A still more fearful statement of crime was made in the House of Lords by Earl Grey—

"Between the 1st of January and the end of December 1832, the number of homicides were 242; of robberies, 1,179; of burglaries, 401; of burnings, 568; of houghing cattle, 290; of serious assaults, 161; of riots, 203; of illegal reviews, 353; of illegal notices, 2,094; of illegal meetings, 427; of injuries to property, 796; of attacks on houses, 723; of firing with intent to kill, 328; of robbery of arms, 117; of administering unlawful oaths, 163; of resistance to legal process, 8; of turning up land, 20; of resistance to tithes, 50; taking forcible possession, 2;" making altogether an immense total of crimes committed in one year.

As Thomas Carlyle wrote, the rulers of Ireland were reaping "at last in full measure the fruit of fifteen generations of wrongdoing"; and they have not yet gathered in the harvest of their rule. It will take some time to gather, and the sweating

"The Roman Catholic clergy, as a body, were perfectly blameless; not only so, but in spite of the terrible temptations to play the demagogue under which they were placed by the iniquity of the code, they arrayed themselves on the side of the law. Their own dues were, in fact, sometimes the object of attack, as well as the tithes of the Protestant parsons."

harvesters may be driven to their wits' end by the strange fecundity of the crop.¹

A very severe measure of coercion, the severest perhaps ever applied to Ireland, was at length proposed and carried in 1833 in order to put a stop to these disorders. In 1832 a Committee had, as we have seen, been appointed for the purpose of directing its accumulated sagacity upon the ever-recurring question of tithes. That its wisdom might simmer undisturbed, that its energies might roam unrestricted by the fetters of distasteful considerations, Catholics were excluded from its counsels altogether. Out of eighteen witnesses only one Roman Catholic was called. Eight clergymen, four policemen, a secretary to an Ecclesiastical Commission, and a registrar to an Ecclesiastical Court were examined, and upon this evidence a report was drawn up and presented, recommending with well-bred fervour not remedial but coercive measures for the unhappy nation. The Bill, which had been introduced in the Upper House by Lord Grey on the 15th of February, and piloted through without opposition, was very nearly lost in the Commons through the honest Althorp's feeble and half-hearted speech on the 27th in favour of coercion, when the more fiery Stanley, the "Rupert of debate," came to the rescue, and having retired alone into a committee-room for a couple of hours to fag the details up, vindicated the policy of the iron hand and pulled the measure through. The first reading was carried after a six nights' debate by 466 to 89. Upon the second reading, Charles Buller, Hawkins, and others opposed its further progress, but were beaten by 363 to 84. The original Bill was slightly modified in Committee by two amendments. One of them disqualified all officers below the rank of captain from sitting in a military court, and the other required five members of the court to be unanimous before a conviction could be secured. A further amendment was introduced by the Government restricting the jurisdiction of the courts-martial, so as to withhold from them the cognizance of all offences of a non-insurrectionary character and of words or speeches unaccompanied by violence or threats, as well as the decision of the question whether any matter was or was not a seditious libel. O'Connell, moreover, proposed a clause declaring it unlawful for the Lord-Lieutenant or any other authority to employ the powers conferred by the Bill in any county or district, merely because tithes were not paid in such district, and, although the amendment was not agreeable to the Government, it was thought advisable to accept it. In the Upper House, Lord Harrowby proposed an addition to this clause to the effect that

¹ Berthold-Georges Niebuhr wrote—"Should England not change her conduct Ireland may still for a long period belong to her; but not always; and the loss of that country is the death-day not only of her greatness but her very existence."

neither should any district be proclaimed merely on account of non-payment of rents or taxes, but his amendment was rejected by 85 to 45. The Bill, as it finally passed into law on the 2nd of April, was shorn of the clauses which authorized the Lord-Lieutenant to prevent public meetings, but empowered him to declare any county to be in a state of disturbance, and thus to make it penal to be out of doors between sunset and sunrise. The proclaimed districts were to be subject to martial law; all offenders in disturbed districts were to be tried by court-martial, and all officers of justice and military on duty in such districts were to be able to enter houses at any hour and search for arms. In fact, martial law was to be set up at the will of the Executive Government. The writ of Habeas Corpus, moreover, was to be suspended for three months after the arrest of any person, as respected that person.¹ On the 29th of March the Bill was read a third time by 345 to 86.

The county of Kilkenny was first of all proclaimed under the new Coercion Act and the "Association of Irish Volunteers," of which O'Connell was the head, was suppressed on the 11th of April. The measure, like the generality of Irish Coercion Acts, was soon successful in its immediate object, and crime and disorder rapidly diminished, the number of offences dropping from 472 in the month of March to 162 in May. This was no doubt satisfactory. The "quick alternation of kicks and kindness" might prove an easy method of cracking the skull of Irish disorder, but it poisoned the blood and exasperated the patience of the Irish nation. Macaulay said during the debate on this Bill—

"If, on a fair trial, it be found that Great Britain and Ireland cannot exist happily together as parts of one empire, in God's name let them separate."

The truth of the matter was that the whole difficulty experienced by the rulers of Ireland in governing their dependency was an incapability of understanding its inhabitants. But was it to be expected that the average member of the House of Commons of that day should understand Ireland? What could a fox-hunter, with his coarse mind and gross instincts, know of character? How could he, with his flaming face, and an intellect a little lower than his gamekeeper's, appreciate the grievances of the Irish people?²

In August another Act was passed, called the Change of Venue Act, which provided for the trial of all offences committed in Dublin or in any county in Ireland at the discretion of the

¹ Appendix XXXI, extract from speech by Sir E. L. Bulwer.

² Appendix XXXIA, quotation from Sir G. Cornwall Lewis.

Court. The same year Althorp's Irish Church Bill was carried. The position of the Established Church in Ireland at this time was a national disgrace. It is true that an Act enforcing residence had been passed in 1818, but nothing further had been done to purge the Church of its grossest anomalies. Out of a population of eight millions only eight hundred thousand of the Irish embraced the tenets of the Protestant religion ; and the advantages enjoyed by these few at the expense of the Catholics were also disproportionately great. Ireland was divided into 1,400 benefices amply endowed with about £600,000 a year, 41 of which did not contain one single Protestant, 20 of which had under five, and 165 under 25. Moreover, in 157 benefices the incumbent was an absentee and no service was performed at all, the miserable savings that had been wrung from the destitute tithe-payers in Ireland being generously scattered in London. The incumbents were supervised by 22 bishops, who had incomes amounting to £150,000 a year, whilst the capitular establishments drew an additional £25,000, thus bringing up the whole annual income applicable to the support and maintenance of the Established Church to more than three-quarters of a million sterling, or £775,000 a year. The bishops derived the greater part of their revenues from landed estates, which yielded a gross rental of £600,000 a year. Let on leases, usually renewable annually, or on leases for lives, not more than a sixth part of the value of the land found its way into the bishops' pockets, whilst their tenure of it placed a great part of the soil of Ireland under a withering influence. In addition, moreover, to the revenues which the Church enjoyed, she had the power of imposing a rate or Church cess on the whole of Ireland, and this last imposition was estimated to yield from £60,000 to £70,000 a year. Thus in one way or another more than £800,000 was expended annually in providing for the spiritual necessities of the 800,000 members of the Irish Established Church, or about £1 a head. And this was not all. In 1833 the military force, which it was found necessary to keep in Ireland to preserve the peace, had cost over a million sterling ; and £26,000 had been spent to collect £12,000 worth of tithes. This was the state of the Irish Established Church. Had Paul been alive, an epistle to them would have been worth reading, for never was there a more pungent critic.¹

By Althorp's Irish Church Bill, which was introduced on February 12, Church cess, a time-honoured grievance, was abolished, and the loss of revenue consequent upon the abolition made up by the imposition of a tax on all benefices of upwards of £200 a year, ranging from 5 to 15 per cent. according to the

¹ Appendix XXXIb, quotation from Charles Greville.

incumbents' income, but not applying to existing incumbents. Lands of suppressed bishoprics were to be sold, and the proceeds, estimated at £60,000, vested by an amendment¹ of Stanley's of the 21st of June in Ecclesiastical Commissioners for the needs of the lesser clergy, instead of being employed, as at first proposed, for such charitable and educational purposes as might be thought proper. The twenty-two bishops were at the same time reduced to twelve and the four archbishops to two. The income of the primate's see was to be diminished after the death of the present one from £14,500 to £10,000 a year, and future bishops were also to be paid smaller stipends. Future benefice holders were to pay a graduated tax instead of the first-fruits they had up till now contributed. The Ecclesiastical Commissioners were, moreover, empowered under the Bill to suspend any appointment to a benefice in which no religious duty had been performed for the three years preceding its introduction. But this suspension was not to take place without the consent of the diocesan; and by an amendment, the joint composition of Lord Wynford and the Archbishop of Canterbury, which passed against the Government on July 25 by 84 to 82, the revenues of the suspended benefice were to be allowed to accumulate for the purpose of building a church or glebe-house within the parish. Moreover, by the same amendment, the powers of suspension were transferred from commissioners to the archbishop of the province or the bishop of the see, subject to an appeal to the Lord-Lieutenant in Council. The Bill finally received the Royal assent on the 14th of August. This Church reform, which O'Connell described as a great relief to the Irish people, was most persistently denounced by the Tory party, and was the proximate cause of the celebrated Oxford Movement. It was certainly an alleviation, but a partial one, for the grievance of the tithe still remained, and that grievance in the eyes of Irishmen was a colossus. Soon after the passing of Althorp's measure a Coercion Bill was hurried through the House, as though the Government were terrified at the spectre of their own generosity and wished to show that their policy of "a quick alternation of kicks and kindness" had not been abandoned in the plan of reform.

The same year an Act was passed amending Stanley's Compulsory Composition of Tithes Act of 1832. It was found that a sum of only £12,000 had been collected, and even that at immense cost and considerable loss of life, whilst the amount of arrears due throughout Ireland had risen to almost a million

¹ Carried by 280 to 148. On the third reading in the Lower House the question of the manner in which the surplus was to be spent was again raised, Sheil proposing to insert words tantamount to the appropriation clause as a recital in the preamble; but he was beaten by 177 to 86.

sterling. An Amending Act was therefore passed in 1833 at the instance of Edward Littleton, the new Chief Secretary, which empowered the Government to lend a million to the tithe owners of Ireland on the security of the tithe arrears, the repayment of the loan to be spread over a period of five years. The loan, however, was ultimately remitted.

The year 1834 witnessed the collapse of Littleton's attempt to grapple with the tithe question. Stanley's Compulsory Tithe Composition Act of 1832, like Goulburn's permissive composition of 1823, had proved a failure, for the composition had to be squeezed from the small Roman Catholic farmer for the support of an alien Church, and its collection was, of course, resisted. In 1833 the tithes in arrear amounted to nearly one and a quarter million sterling (£1,200,000), and, owing to the extreme subdivision of land, were individually very small in amount. Thus, in a parish in Carlow, the sum owing by 222 defaulters was a farthing each, and a return of the actual number of defaulters, whose debts were under a farthing and rose by farthings to a shilling, formed a large proportion of the gross number. In some instances the charge upon the land amounted to only seven parts of a farthing, and the highest aggregate charge (the sum payable by three or four persons) was against those who owed individually about twopence. In February 1834 Littleton had brought forward a resolution as a preliminary step to his Tithe Bill proposing that his scheme should not come into full operation for five years. But O'Connell had opposed it, contending that it would transfer the odium of collection from the clergy to the landlords, and he proposed instead that the temporalities of the Church should be generally reduced, and tithes diminished by two-thirds, one-third being left to the Established Church, one-third given to the Catholic Church, and the other third to the State. Littleton's resolution, however, was passed by 190 to 66, and early in May he introduced his Bill founded upon the resolution. It proposed that Parliament should grant one million to the tithe owners on the security of the arrears of tithe, which the Irish Government was to be empowered to collect, thus becoming tithe proctor for the whole of Ireland. Moreover, tithe was to be converted into a rent charge amounting to 80 per cent. of the former, payable by the landlord and ultimately to be converted into land. After Littleton had introduced his measure, Sheil, with a view of eliciting a clear statement of policy, asked the Ministers whether they were prepared to maintain or abandon the Church Establishment. Stanley replied on behalf of the Government, but Russell, fearing lest Stanley's answer should be interpreted as a declaration on the part of ministers that they would uphold the Church in its integrity and abstain from appropriating its

revenues under any circumstances to purposes of State, announced that, if it was found "that the revenue of the Church was not appropriated justly to the purposes of religious and moral instruction, it would then be the duty of Parliament to consider a different appropriation," and that he should maintain this opinion at the risk of schism from his colleagues. It was thus apparent, despite Littleton's feeble attempt to obscure the fact, that grave divergencies of opinion already existed in the Cabinet, and in fact Althorp, when pressed by Sheil, avowed the fact. But like an old ship the Cabinet still held together in spite of its rotten timbers. On May 27 Ward, seconded by George Grote, the historian of Greece, moved for the appropriation of the surplus temporalities of the Irish Established Church to certain non-ecclesiastical purposes.¹ He showed that only 600,000 persons, or not one-fourteenth of the population, adhered to the communion of that Church in Ireland; that the division of revenues was ridiculously unequal, there being 176 benefices the value of which varied from £800 to £2,800 per annum, 407 from £400 to £800, and 386 from £400 to £200, and that non-residence prevailed to an enormous extent, as the clergy had practically nothing to do; there being in 1814, 664 residents and 543 non-residents; in 1817, 665 residents and 544 non-residents; and in 1819, 758 residents and 531 non-residents. Moreover, some of the resident clergy did duty for the most trifling remuneration, in some cases for £18 a year; whilst the average living was about £70 a year. Littleton's Bill had at first contained such a clause as Ward proposed, but at Stanley's request it had been omitted. Russell, however, expressed his assent to the principle contained in Ward's motion, and Althorp, on behalf of the Government, announced that although they were unable to accept it, they would appoint a Commission to inquire into the state of the Church revenues and consider the whole position of the Irish Church. But, although Ward's motion was afterwards rejected by 396 to 120, Stanley, who did not feel himself able to acquiesce in the position taken up by Russell and Althorp, resigned even before the debates upon it had commenced, followed by three of his principal colleagues in the Grey Administration: Sir James Graham, First Lord of the Admiralty; the Duke of Richmond, Postmaster-General; and Lord Ripon, Lord Privy Seal.²

¹ Ward's resolution ran as follows—"That the Protestant Episcopal Establishment in Ireland exceeds the spiritual wants of the Protestant population, and that it being the right of the State to regulate the distribution of Church property in such manner as Parliament may determine, it is the opinion of this House that the temporal possessions of the Church of Ireland, as now established by law, ought to be reduced."

² Their places were filled by Spring Rice, Lord Auckland, the Marquis of Conyngham, and Lord Carlisle.

Littleton's Bill, however, was never passed on account of the intervention of a strange piece of political intrigue which led directly to the resignation of the Government. The time had arrived for the renewal of the Coercion Bill, and Littleton was of opinion that such a step, unpopular in the highest degree in Ireland, would impede, if not destroy, the progress of his own Tithe Bill. He therefore proceeded, on Wellesley's¹ advice, to consult Brougham, and Brougham agreed with him in his opinion in regard to Coercion. Hereupon the two men, without consulting their colleagues, wrote to Wellesley urging him to represent to Grey that he was prepared to dispense with the meeting clauses of the Coercion Bill, whenever the latter should be renewed. But unfortunately the Cabinet had meanwhile decided to adhere to the clauses in question. Wellesley, however, had in the meantime written to Littleton, as had also Blackburne,² the Irish Attorney-General, to the effect that he agreed with him in his opinion that the meeting clauses might safely be abandoned. Littleton now sought the advice of Melbourne and Althorp, who were naturally vexed at these secret negotiations. But Melbourne agreed with Littleton that, since Wellesley had maintained he could dispense with the meeting clauses, the Government was not justified in adhering to them. Littleton then consulted Althorp as to the advisability of negotiating with O'Connell, and Althorp concurred in the suggestion. O'Connell was therefore sent for by Littleton, and promised that the meeting clauses should not be renewed, if O'Connell on his part would consent to withhold his opposition to the Tithe Bill. This O'Connell agreed to do, and immediately withdrew his support from the repeal candidate whom he had nominated for a seat vacant at Wexford, and also cancelled an address to the reformers of England in which Grey was roughly handled. But the egg of intrigue was now to burst beneath the hatcher. A day or two afterwards Grey laid before the Cabinet a communication from Wellesley expressing his readiness to dispense with the meeting clauses, upon which Russell remarked that the letter seemed to be written as though in answer to some inquiry. Part of the truth then necessarily leaked out; Brougham confessed his negotiations, and Grey was exceedingly vexed at the secretion of so important a matter. But Littleton's part in the proceedings had not yet been disclosed, and the Cabinet now determined, in view of the opinions formerly expressed by Wellesley on the subject and the urgent representations of Grey, to renew the obnoxious meeting clauses, and thus unwittingly to knock Littleton's promise to O'Connell

¹ Richard Colley Wellesley, Marquis Wellesley (1760-1842), Governor-General of India; at this time Lord-Lieutenant of Ireland.

² Francis Blackburne (1782-1867). Became Lord Chancellor of Ireland in 1852.

on the head. The whole of the Brougham-Littleton-Wellesley-O'Connell intrigue was now revealed. On the 30th of June Littleton crossed the floor of House and communicated the intentions of the Government to O'Connell, who thereupon declared that he had been betrayed, and laid bare the whole of the secret negotiations before Parliament. Upon this Littleton tendered his resignation in the hope of saving his face, but it was not accepted. Other resignations then followed. Althorp, who appreciated the difficulty of his own position and feared for the reputation of the Cabinet as a whole, sent in his resignation, and Grey, feeling that he had been ungenerously tricked, followed the example of his colleague and resigned also. The Grey administration had fallen, and in July 1834 Melbourne's¹ first Ministry succeeded to power.

The question of Coercion was now reconsidered. The tithe disturbances in Ireland had not abated a jot. In April 1834, to give one instance, the military and police seized ten pigs for tithes due to the Rev. Thomas Lock, of Feenboonagh, Newcastle West, County Limerick. The enraged peasantry attacked the soldiers, who replied with fire, three of the peasants being killed and twenty wounded. The disorders in Ireland consequent upon the resistance to the payment of tithe led the Government to try the usual remedy, which afforded no real relief to the sick man, and which they would have been afraid to administer to any but a very weak one. The Coercion Bill introduced by Grey was abandoned, and a modified measure was passed instead to remain in force until August 1, 1835, the more offensive features of the Act of 1833, that is to say, the clauses prohibiting public meetings and providing for trial by court-martial in proclaimed districts, being omitted in order to conciliate O'Connell. In proclaimed districts, meetings held without authority were to be deemed illegal; persons found out of doors between sunset and sunrise were to be considered guilty of an offence, and those having arms in their possession of a misdemeanour.

After the question of Coercion had been settled, the Tithe Bill was once more taken up on a motion of Althorp's on the 29th of July, 1834. Under the amended plan the landowner who consented to convert the tithe into a voluntary rent charge was entitled to a premium. The rent charge was to be a sum equal to the interest at $3\frac{1}{2}$ per cent. on the amount of the land tax, multiplied by four-fifths of the number of years' purchase which the land was worth, the loss to the Church being made good by the application of the Perpetual Purchase Fund. O'Connell, who was now loosed from the bargain in which he had been duped,

¹ William Lamb, second Viscount Melbourne (1779-1848).

determined to revenge himself for the deception. He first of all opposed the motion for going into Committee on the Bill, but was beaten by a majority of 140. He then moved an amendment reducing the charge on land by two-fifths, which was to be payable to the Crown, and securing to the clergy somewhat more than three-fourths of their usual incomes—the difference to be made up out of the Consolidated Fund. He also proposed that the arrears of tithe, which the Bill empowered the Government to collect, should be abandoned, so that the commutation clauses might be brought into operation at once, instead of after a delay of five years, the period originally proposed for the full operation of the measure; and, though this amendment passed the Commons by 82 to 33, it was rejected in the Lords by a majority of 67. On the 14th of November, 1834, Melbourne's first ministry was driven out by William IV from sheer boredom, and on his return from Italy, Peel once more succeeded to power.

On the 18th of December occurred the "Slaughter of Rathcormac," when a force of horse, foot, and police proceeded to collect the tithes of Archdeacon Ryder in the parish of Gortroe, County Cork. One of the defaulters was the widow Ryan, who lived near the hamlet of Rathcormac, and whose indebtedness amounted to 40s. In the struggle round her farmyard, into which some peasants had barred themselves, twelve of the latter were killed and forty-two injured, whilst many of the soldiers were also wounded. At length the archdeacon managed to get round to the back of the house, and, unnoticed by the peasantry, to extract with as much dignity as he could command the value of the tithe due. Of the twelve killed eleven were fathers of families upon whom those families depended. The lesson was a severe one, not to be forgotten by the contumacious men and widows who refused to pay their debts, and the archdeacon, we are told, "proceeded to collect his tithes throughout the parish without further molestation."

In the general election of December and January 1834-5 the Conservatives were returned by the country in a minority, and Peel put forward Sir Henry Hardinge, his Irish Secretary, to propose a Church Reform Bill with the purpose of anticipating any step by Russell in the same direction. Hardinge introduced his measure on the 20th of March. It was identical with Littleton's former Bill, the only material difference being that the terms of the former were less favourable to the clergy and more favourable to the landlord than those of the latter. Hardinge proposed to abandon the loan of a million advanced in 1833, and to convert the tithe into a rent charge, which was to be fixed at 75 per cent. of the former tithe, whilst its redemption by the landlord was to be facilitated, the purchase money being invested in land. The

arrears of tithe were also to be abandoned. Hardinge, in fact, like Littleton, was holding out a bribe to the landlords of Ireland to charge their estate for the benefit of the Church. O'Connell and the Whigs took the opportunity to attack the Tithe Bill on the plea that it did not contain an appropriation clause, and as the Government was defeated on this point, Hardinge's measure was necessarily dropped.

On the 30th of March, 1835, Russell moved for a Committee of the whole House to consider the temporalities of the Irish Church, and proposed that the surplus revenues of the Establishment should be genuinely applied to the moral and religious improvement of the people of Ireland. He was supported by Ward, R. L. Sheil, Lord Howick, C. Wood, Dr. Lushington, Spring Rice, and O'Connell, and opposed by Sir E. Knatchbull, Sir James Graham, W. E. Gladstone, Sir R. Inglis, Sir W. Follett, Praed, Sir H. Hardinge, Lord Stanley, and Sir Robert Peel. On the division upon this motion the majority against the Ministers was 33 (322 to 289). Encouraged by this success he again moved, on the 3rd of April, "that it is the opinion of this Committee that any surplus which may remain after fully providing for the spiritual instruction of the Established Church in Ireland, ought to be locally applied to the general education of all classes of Christians," and this motion, which was made in connection with Hardinge's Bill, was likewise carried against the Government by a majority of 38.¹ Finally, on the 7th of April, 1835, Russell moved "That it is the opinion of this House that no measure upon the subject of tithes in Ireland can lead to a satisfactory and final adjustment, which does not embody the principle of appropriation." This motion was also carried against the Ministers by 285 to 258, and Peel, who regardless of the other two defeats had clung to power with the tenacity of a drowning man, was forced to resign, Melbourne succeeding to his second Premiership, which he held until 1841, during five years of perhaps the most interesting period of Irish history.

The celebrated "Lichfield House Compact" was now formed between Melbourne's Ministry and O'Connell. The great demagogue, who ever since the Coercion Bill of 1833 had striven to overthrow Grey and effect the formation of a Whig Ministry from which Grey and Stanley should be excluded, consented to support the Administration on certain conditions. He agreed on his part not to press the policy of Disestablishment of the Irish Church; to abandon the movement for a Repeal of the Union; to suspend the demand for Parliamentary Reform, and to aid the Irish Executive in maintaining

¹ Appendix XXXII, extracts from speeches by Gladstone and O'Connell.

authority in Ireland. He stipulated in return that Catholic Emancipation should be made a reality and not a farce; that the tithe should be commuted with an "appropriation" clause as part of the measure; that municipal bodies in Ireland should be reformed on the principle of the late reform in England, and that men of popular sympathies should be appointed to official positions in Ireland. As a result of this Concordat the Government proceeded to place nearly the whole of the patronage of Ireland, especially of the Irish Bar, in O'Connell's hands. Lords Mulgrave¹ and Morpeth² were appointed with O'Connell's approval to the posts of Lord-Lieutenant and Chief Secretary respectively. It was said that O'Connell was offered the post of Attorney-General for Ireland, but Louis Perrin, a Protestant lawyer of popular sympathies, was given it, and Michael O'Loughlin, the leading Catholic advocate at the Irish Bar, was made Solicitor-General, both of them O'Connell's nominees; whilst Thomas Drummond³ became Under-Secretary at Dublin Castle in succession to Sir William Gosset, a post which was at that time political and vacated on a change of Government.

The Irish constabulary force and the crowd of paid magistrates were now reorganized, and the former, through the instrumentality of Drummond, was thrown open to Catholics, largely increased, and posted in different stations throughout every county. It was indeed time to move a little in the direction of reform. The policy of coercion had failed; the rulers of Ireland had "sown their laws with dragon's teeth and they had sprung up armed men."⁴ The total number of offences in 1833 affecting human life had been—committals 826 and convictions, 203. In 1835 the number was—committals 922, and convictions 409. The total number of outrages generally in the former year was—committals 17,819; convictions 11,444. In 1835 the number was—committals 21,205; convictions 15,216.

In face of this increase of crime, in acknowledgment that the

¹ Constantine Henry Phipps, Earl of Mulgrave, afterwards first Marquis of Normandy.

² George Howard, Viscount Morpeth, afterwards sixth Earl of Carlisle (1773-1848).

³ Thomas Drummond was born in Castle Street, Edinburgh, on the 10th of October, 1797. In 1820 he took part in the Ordnance Survey in the Scottish Highlands. From 1825 to 1828 he was occupied in the survey of Ireland. In 1831 he superintended the Boundary Commission Inquiry. In 1833 he was appointed private secretary to Althorp, who was Chancellor of the Exchequer. In July 1835 he went to Ireland. On April 15, 1840, he died and was buried at the cemetery of Mount Jerome, in Harold's Cross. *Integer vita, sceleris que purus.*

⁴ Words used by Hussey Burgh in the Irish House of Commons in 1782. The estimation in which he was held may be gathered from the munificence of the pension which the Irish Parliament granted him. His four children (three daughters and one son) were allowed £2,000 a year with benefit of survivorship. Hussey Burgh was a speaker of a sweet and captivating eloquence. He died of fever while on circuit in Armagh.

policy of force had failed, a fresh attempt was now made to settle the tithe question. In 1823, as we have seen, Goulburn had obtained the voluntary composition of tithes. In 1832 Stanley had made the composition compulsory. In 1834 Littleton had endeavoured to convert the composition, first into a land tax, and then into a rent charge; and a little later Hardinge had proposed the conversion of the tithe into a rent charge fixed at 75 per cent. of the former amount and redeemable by the landlord. In Littleton's Bill, as originally framed, the land tax was to amount to 80 per cent. of the tithe, but in the shape in which it reached the Lords the rent charge amounted to only 60 per cent., the tithe owner being partly compensated for his loss out of the Perpetuity Purchase Fund. In 1835, Hardinge, adopting Littleton's principle, had also proposed to convert the tithe into a rent charge, and had offered £75 of rent charge for every £100 of tithe. In principle, therefore, there was a general feeling among all parties that the burden of the tithe should be transferred from the shoulders of the occupier to those of the owner. On the 26th of June, 1835, Morpeth suggested a further alteration. He introduced a Bill, which proposed to commute every £100 of tithe into £70 of rent charge; to charge on the tithe owner the cost of collection—that is to say, 6*d.* in the pound, and thus to reduce the amount paid by the landowner and received by the tithe owner to £68 5*s.* In order to partly compensate the incumbents for the diminished revenues, he also proposed to allow all existing clerical tithe owners an additional £5 per cent. out of the Perpetuity Purchase Fund, and decided, like Hardinge before him, to abandon the arrears of tithes, amounting to £637,000, the sum advanced to the distressed clergy out of the million granted by Parliament in 1833. As regards the sequestration of the Church revenues, he proposed to suspend the presentation to any benefice which did not contain fifty members of the Church of England. The cure of souls in such benefice was either to be attended to by the clergyman of the neighbouring parish, who was to receive an additional stipend of from £10 to £50 a year according to the extent of his extra duties, or by a curate with a salary of £75 a year. The same Bill also empowered the Lord-Lieutenant in any parish containing more than fifty people, and endowed with more than £300 a year, to deduct so much from the income of an incumbent as he might think proper, provided it were not diminished below the £300. There was also a series of provisions for the appropriation of the surplus revenues of the Irish Church, estimated at £58,000, to the promotion of the religious and moral education in Ireland. Thus the landowner under Littleton's scheme was saddled with 60 per cent., under Hardinge's with 75 per cent., and under

Morpeth's with 68½ per cent. of rent charge for every £100 of tithe; whilst the existing incumbents received, under the first scheme 77½ per cent., under the second 75 per cent., and under the last 73½ per cent. of their tithe. In fact, these successive schemes had gradually been whittling away the amount which it was proposed to allow to the tithe owners. In order to justify his measure, Morpeth demonstrated that out of the 2,045 parishes in the 26 dioceses of Ireland, there were 157 without a single member of the Established Church; the number of those containing fewer than 10 Protestants were 194; containing between 10 and 20, 198; between 20 and 30, 133; between 30 and 40, 107; and between 40 and 50 Protestants, 77. Thus the total number of parishes that would come under the operation of the Bill would be 860, and it was estimated that the surplus revenues of these parishes would amount to £58,000 a year. Sir Robert Peel moved the separation of the first and second portions of the measure, with a view to the adoption of the one and the rejection of the other dealing with appropriation, but his amendment was defeated by 319 to 282, and Morpeth's Bill having passed the Commons was then sent to the Lords. They accepted the first half of the measure, but on the 20th of August rejected the sequestration and non-ecclesiastical appropriation clauses by 138 to 41, and, in view of this mutilation of a part, the Ministers determined to abandon the whole Bill.

It was always difficult to obtain legislation, when interest stood in the way of reform.¹ One of the consequences of the loss of Morpeth's Bill was that the Government were now legally obliged to proceed against the clergy for the discharge of the sums due from them in settlement of the Government loan; but the clergy were of course totally unable to pay, and the difficulty was at length evaded by an Act which authorized the Government to suspend the suits which they were otherwise bound to institute against these clerical defaulters.

Meanwhile a most significant change had taken place in the Government of Ireland. Coercion was giving way to the just administration of the law, and the rank prejudice which for so many years had issued from Dublin Castle and settled like a blight on every native Irishman, had been driven from its tabernacle to seek shelter elsewhere. Grey's Coercion Bill had become law on April 15, 1833. On July 30 of the following year a Mitigated Coercion Bill came into force, and continued in operation until the 1st of August, 1835, when Melbourne, with the concurrence and support of O'Connell, introduced and carried a Public Peace Act, to remain in force

for five years. It empowered the Lord Lieutenant to order an extraordinary Court of general sessions with the power of any court of Oyer and Terminer to be held for any county in Ireland. Prosecutors, offenders, witnesses, and others were bound to attend on receiving a written notice; and offenders were to be forthwith tried unless the Court should order otherwise. The carrying or concealing of firearms was to be deemed in certain cases a misdemeanour. The Lord-Lieutenant, on presentment of grand jury, could direct the Court to issue a notice enjoining the inhabitants of any place to remain within their doors at night; any persons found abroad there in the night after such notice being guilty of a misdemeanour. After the day named in the notice, the court could authorize by warrant domiciliary visits in the locality specified, and summon and examine on oath persons certified to have been absent from their dwellings, and imprison and fine any of those on conviction who could not satisfactorily account for their absence. The consideration which was shown for the liberties of the Irish under this Act contrasted favourably with the Coercion Bills of former years. But there was a master at the wheel, a man who appreciated the work to be done and understood the way in which to do it; and the measure not only did not gall the spirit of the Irish people, it was never even put into operation.¹

Since the appointment of Thomas Drummond as Under-Secretary at Dublin Castle the Lord-Lieutenant had refused to allow troops and police to be present at tithe sales, or to interfere with them in any way except in the case of an actual breach of the peace. This novel impartiality was, as may be imagined, extremely unpalatable to the anti-reformers, who proceeded to form a lay association presided over by Lords Roden, Enniskillen, and Bandon for the purpose of counteracting the new policy of justice. Instead of proceeding by distraint, the association applied to the Court of Exchequer for power to recover tithes, and in December 1835 more than six hundred Exchequer Bills for sums varying from £10 to 1s. 9d. had been filed, process being served on the peasants by placarding the original bills in places specified by the Court and sending copies of them through the post. But the peasants, unappalled by Orange ingenuity, merely disregarded the bills and orders of the Court; and the association, in order to meet this difficulty, had recourse to an obsolete procedure which had been out of use for many years, and obtained writs of rebellion against the defaulters. Now a writ of rebellion empowered a commissioner of rebellion, appointed by the Court, to call upon the sheriff, police, and military to arrest the defaulter named in the writ,

¹ Appendix XXXIII A, extract from speech by Lord John Russell.

and detain him in custody until he had paid. But Drummond was equal to the emergency, and refrained from issuing instructions to the local authorities, so that when the commissioner of rebellion applied to them for support, they roundly declined to act without authority from the Castle. Thus the writs, like rusty old arms, proved quite unfit for present purposes, and were only curious as a relic of the less liberal and more untutored past.

In 1835 an important reform was carried out in the relations between landlord and tenant, which Drummond described in his evidence before the Roden Committee in 1839—

"Formerly each judgment creditor had the power of distraining for the amount of his debt. This power was most vexatious, and led to frequent breaches of the peace. Each creditor had, without reference to what had been previously paid by the tenant, the power to distrain for his debt; so that it frequently happened that the unfortunate tenant had two or three times over to pay the amount of his rent. The natural consequence was, he resisted; and that led to breaches of the peace. The improvement introduced was, that a Receiver was appointed by the Court, who received the amount and paid it among the creditors. There was another important change which tended to prevent breaches of the peace. This was the granting to the Civil Bill Court a power to substitute service of process, as it was called, that is to say, on the party making a representation that the service has been opposed, the barrister may direct the posting the notice on some conspicuous place, which shall be deemed good service. This prevented collisions between process servers and the parties—of old a fertile source of disturbances."

The merit of procuring this reform in the system of process serving belonged to a lay association established in Dublin in the end of 1835 for the purpose of helping the clergy.

In 1836 the redoubtable Orange Lodges were dissolved. The Diamond—a little hamlet, about five miles from Armagh, the scene on September 21, 1795, of a conflict called the Battle of the Diamond between the Protestant "Peep of Day Boys" and the Catholic "Defenders"—is supposed to have been the birthplace of Orangeism. A few yeomen and farmers after the battle joined together at Finsnackell, in Armagh, for mutual defence and the assertion of British rights, and thus created the first Orange Lodge. Its successors gradually took the place of "Break of Day Men" and "Peep of Day Boys," and their opponents were the Catholic Ribandmen. Religious animosity was the breath of their nostrils and the connivance of Government and police court their chief armour. The Arms Act of 1807 was not enforced against them, and their arrogance increased accordingly.¹

¹ Appendix XXXIIIb, quotation from Judge Fletcher's charge to the Wexford Grand Jury.

When magistrates joined hands with a system of terrorism, Ireland indeed was in a bad way. In 1827 the Duke of Cumberland was elected Grand Master of all the Orange Lodges, his agent being the notorious Colonel Fairman, whose business it was to establish Orangeism wherever he could and by whatever means. Joseph Hume had already called attention to the dangerous machinations of these bodies and made various disclosures in regard to them in Parliament. At length, on his motion, a Committee was appointed, and the matter inquired into in 1835, which led to their final dissolution the following year.¹ It was found by Finn's Committee that there were 1,500 to 1,600 of these lodges in Ireland alone, containing probably between 150,000 and 160,000 Orangemen, who were accustomed to meet in armies of 10,000, 20,000, and even 30,000 at a time; whilst in Great Britain there were 140,000 members. Moreover thirty to forty regiments of the line had established lodges on the authority of warrants from the Grand Lodge. The Lodge rules were clearly defined. No Orangeman was admitted to a lodge under eighteen years of age; every Orangeman was liable to active service at the call of the Grand Master; and members who voted for Liberal candidates were expelled. It was also suggested at the time that some of the Orange Lodges had been intriguing to place the Duke of Cumberland on the throne, the idea being that William IV should be superseded on the plea of insanity, and the Princess Victoria robbed of her legal right and ousted from the succession. Whether the allegation were true or not, and no absolute proof of it was adduced, it served to cast grave suspicion upon the members of the Lodges and to strengthen yet further the reasons for their disbandment.

On April 8 of the same year the statue of King William III, "of pious, glorious and immortal memory," was blown up. The perpetrators of the deed were never discovered, but it is not improbable that, maddened by the destruction of their beloved temples, the Orangemen had shivered their idol with their own hands, with the intent of fixing suspicion upon their enemies, and thus creating a last outcry against the detested Catholics.

On the 26th of April, 1836, Morpeth again brought forward his Tithe Bill, which was accepted by the Commons, but once more fell a victim to the opposition of the Lords, who would have nothing to do with the non-ecclesiastical appropriation clauses, which it contained. Thus the Irish peasantry were again disappointed of a remedial measure through the illiberal attitude

¹ An urgent appeal was made to the King, and William IV, in his reply, declared his determination "to take measures for the effectual discouragement of Orange Lodges, and of all political societies excluding persons of a different religious faith, using secret signs and symbols, and acting by means of associated branches." It was in consequence of this announcement that the Orange Society was publicly declared by the Duke of Cumberland to be dissolved.

of a handful of men, and left to the tender mercies of the Lay Association, a body which had been formed for the protection of the downtrodden Church of the Irish Establishment, as well as for the purpose of bringing actions against starving men for the recovery of tithes. O'Connell and the other popular leaders in Ireland, now thoroughly dissatisfied with the result of the Irish legislation of the Melbourne Government, determined to organize themselves afresh for a renewed but constitutional agitation, and in the latter part of 1836 formed a general Petition Committee in Dublin with that view. The Committee soon developed into a "National Association," with O'Connell at its head. It was, in fact, the successor of the Catholic Association suppressed in 1829, and had its local branches and contributions under the name of "justice rent," as well as its rent-collectors and "Pacificators"; the main objects of the society being the promotion of municipal and tithe reform, and the superintendence of elections in the popular interest. The anti-reformers instantly took the alarm. They loathed O'Connell and the memory of their own defeat. They hated the man who refused to wear a sheep's face when he felt like a tiger. They feared his energy, his eloquence, and his influence over the minds of his countrymen. Their only weapon was abuse, coercion having been struck from their hands, and they were determined to make use of it. Towards the end of 1836 the *Times* newspaper took upon itself to defend Lyndhurst,¹ against whom O'Connell had made a speech, in which he had thrown out some hints which that newspaper interpreted as a threat that O'Connell meant to assail his lordship's private character. Resolved therefore that the character of so stout an anti-Irishman should be washed before the world, it published the following lines of ablutionary matter in the taste prevailing at that period—

"What an unredeemed and unredeemable scoundrel is this O'Connell to make such a threat, and at such a time too! If he has not lied more foully than it could have entered into the imagination of the devil himself to lie, he makes the threat with his own wife dying under his very eyes! Oh! how long shall such a wretch as this be tolerated among civilized men! But let him mark us well; as surely as he dare to invade the privacy of the life of Lord Lyndhurst, or of any other man, woman, or child that may happen by themselves or their relations to be opposed to him in politics, so surely will we carry the war into his own domiciles at Darrynane and Dublin, and show up the whole brood of O'Connells, young and old."

This composition was answered by O'Connell in a letter, which, if it did not rival the *Times* in Billingsgate, at least

¹ John Singleton Copley, Lord Lyndhurst (1772-1863); became Lord Chancellor of England in 1827.

manifested to the world that the character of a private citizen could not be attacked with impunity even by the most powerful paper of the day.

"I do not condescend," O'Connell wrote, "one remark on the turpitude of the party to which the *Times* is now attached, and whose patronage it earns by a political and personal meanness hitherto unknown in the history of British literature. You have made literary vileness a byword. It is really discreditable to Britain that it should be known that so much atrocity—so depraved, so unprincipled a vileness as the *Times* has exhibited—should have found any countenance or support. As to me, the only sentiments I entertain are those of contempt and utter defiance."

Most persons will agree with O'Connell, that it was indeed discreditable that the principal periodical of Great Britain should vent its spleen in grossness, which not only betrayed its impotence to do real harm, but had not even the similitude of wit to recommend it.

To show the spirit that still animated the members of the dissolved Orange Lodges and the impartiality with which Ireland was now being governed, it will not be amiss to recount an incident that occurred the same year, trifling in itself, but significant in connection with the history of this period. A certain Colonel Verner, a typical example of military bluster and Deputy-Lieutenant of the County of Tyrone, who represented the Orangemen of the Empire in the House of Commons during the investigation into the Fairman plot, was pleased to give at an election dinner, in 1837, 'The Battle of the Diamond' as a party toast. Hearing of this Drummond wrote him, on August 22, the following letter—

"Sir,—It appearing in the *Newry Telegraph* of the 10th instant that at an election dinner given by you on the 7th, one of the toasts was 'The Battle of the Diamond,' I am desired by His Excellency, now that the elections are all terminated, to desire that you will inform him whether it can be possible that you were thus a party to the commemoration of a lawless and most disgraceful conflict, in which much of the blood of your fellow-subjects was spilt, and the immediate consequence of which was, as testified at the time by all the leading men and magistrates of your county, to place that part of the country at the mercy of an ungovernable mob?

"I have the honour to be, your most obedient servant,

"T. DRUMMOND."

The Orange swashbuckler was stricken with amazement. Had the Castle indeed so changed that justice finally was to be meted between man and man? Had the old snake cast its slough? Cut to the quick, the gallant fool ran among his friends, purple with rage, and panting with uncertainty. They consoled

him, told him it was a Government device, counselled him to show a little mettle, not to tuck his tail in, nor sheathe his sword bloodless, and having petted and stroked him into sufficient valour, put their tongue in their cheek and unkindly left him to his pen. Insolence should be his weapon and sarcasm his breastplate of defence—

"I am disposed to think that when you put a question in a form like this, you can hardly expect, on cool reflection, that I should condescend to answer it—at least, I would imagine that you could expect no other answer than one which I hold superfluous, namely, that I am not capable of being a party to the commemoration of anything 'lawless and disgraceful'! I would request, if I am ever again to be favoured by a question which you are directed to propose, that it may be expressed in terms better calculated to invite an answer, and more likely also to be understood. I must say your letter does not appear to me very intelligible. . . .

"Upon the various misrepresentations, unintentional, I have no doubt, which your letter contains, I have no desire to comment. I feel it necessary only to assure you that, of all the conflicts which took place at any of the various places called by the name of 'Diamond' in the county of Armagh, there is none to which your description is, in the least degree, applicable."

Greatly pleased with the mingled wit and severity of this retort, he awaited the reply, and got it. On September 5, Morpeth inspired by Drummond wrote—

". . . You profess yourself unable to recognize the conflict alluded to under the above title ('The Battle of the Diamond'), by reason of the many such conflicts which have unhappily occurred in the county of Armagh, at places called by the name of the Diamond. If His Excellency could have anticipated that you would have experienced, from this cause, any difficulty in replying to the question addressed to you, he would have referred you to your own evidence, published in the Report of the Committee on Orange Lodges in Ireland, and more especially to the following question and answer, No. 92 :—

"*Question*—'The Battle of Diamond Hill took place the 21st of September 1795—did it not?' *Answer*—'It did.' His Excellency need scarcely observe, that the number of such conflicts does not render the commemoration of one or more of them less objectionable, or make it less imperative on him to ascertain the fact of magistrates having joined in such a proceeding.

"On account of the long-continued and bitter animosities springing from religious differences, which have disturbed the good order of society, and led to the most lamentable consequences, especially in the county of Armagh, the Legislature has declared certain acts to be penal in Ireland, which, in other parts of the Empire, are not only not punishable, but not blameable, because perfectly harmless. If an assemblage of persons, even less in number than those who were present at the election

dinner in question, should walk in procession through the streets bearing party emblems or playing party tunes, they should therefore subject themselves to the punishment of the law; and it may be known to you, that many have suffered imprisonment, and many are at this moment amenable to the law, for no greater offence.

"The peasant thus offending is, in His Excellency's opinion, less culpable than the man of station and education who, on an occasion to which publicity is given through the public press, celebrates a lawless action arising out of the civil discords of his country, in which the lives of many of his countrymen were lost, as an event the remembrance of which it is desirable to perpetuate with honour. . . .

" . . . His Excellency deems the public considerations dependent upon this transaction to be of such importance, that he is less inclined to remark upon the extraordinary tone in which your whole letter is written, considering that it is an answer to an official communication, addressed by direction of Her Majesty's Representative, to a gentleman holding a commission of the peace, and requiring an explanation of his conduct.

"Upon a full consideration of the case, His Excellency will deem it expedient to recommend to the Lord Chancellor that you shall not be included in the new commission of the peace about to be issued, and will also direct your name to be omitted from the revised list of Deputy-Lieutenants for the County of Tyrone.—I have, &c.,

"MORPETH."

The ridiculous Verner had been flung in the dust, and we will there leave him.

On the 1st of May, 1837, Morpeth introduced his third Tithe Bill, and the fifth of the kind which, within a period of five years, had been submitted to the Legislature. Burdett had by this time become alienated from the Whigs on account of their policy of appropriation of the surplus of Irish tithe to non-ecclesiastical purposes. This new Bill, like its predecessor, fixed the amount of the rent charge at £68 5s. *od.* per cent. of the tithe, but did not contain the controversial appropriation clauses. The old idea, however, was wrapped up in it in another shape, for it was proposed that all future bishops, dignitaries or other beneficed clergymen, should be required to pay a tax of 10 per cent. on their incomes, to be devoted to the purpose of general education in Ireland, and a statute of Henry VIII (the 15th of the 28th) was cited in justification of the requirement. This statute was declared to be still in force, and every rector or vicar on being inducted into his benefice was to take the following oath:—"I will teach or cause to be taught an English school within the said rectory or vicarage, as the law in that case requires." The Bill was read a second time on the 9th of June, but eventually abandoned on account of the death of King William the Fourth on the 20th of that month, and the dissolu-

tion which followed that lamentable incident. In the General Election which took place soon afterwards a Government majority was returned. A short lull now intervened in the agitation against the tithes, O'Connell dissolving the General Committee contrary to the wish of Sharman Crawford.¹ The former, who divined the direction in which the gust of English opinion blew, realized that the present moment was unfavourable for an agitation in favour of a total extinction of tithes, and determined to wait until he could muster sufficient support to carry the measure through.²

On the 27th of March, 1838, after a General Election had returned the Whigs with a greatly diminished majority, Russell announced that the Government intended to introduce a Bill for the conversion of tithes into a rent charge to be fixed at £68 5s. *od.* per cent. of the tithe, the income so secured being guaranteed to existing incumbents by the State. The State was also to be authorized to purchase, on the termination of existing interests, each £68 5s. *od.* of rent charge for £1,600, and to apply the purchased rent charges to educational and police purposes in Ireland. On Russell's motion for a Committee of the whole House to consider the project, Sir J. Ackland proposed an amendment rescinding the resolutions of 1835, which had pledged the Government to the Appropriation clause, and his motion was only rejected on the 15th of May by a majority of 19. On the 18th of the same month Russell announced that the Government would content themselves with a Bill providing for the mere conversion of tithes into a rent charge at the percentage already fixed, and O'Connell and Peel accepted this decision. Ward, however, protested against this desertion of principle and proposed the reinsertion of the secular Appropriation clause, but was defeated by 270 to 46. Frederick Shaw, member for the University of Dublin, then moved for the increase of the rent charge from £68 5s. *od.* to 75 per cent. ; but his motion was also lost, although by the narrower margin of a 21 minority. Nevertheless, the Government, to propitiate the Lords, finally consented to the raising of the rent charge in accordance with Shaw's motion. On the 10th of July O'Connell proposed that the arrears of tithes then due should be remitted,

¹ William Sharman Crawford. He was turned out of his seat at Dundalk through O'Connell's influence after the dissolution of 1837, as he declined to support the agitation for the repeal of the Union. He was afterwards member for Rochdale.

² Commenting in September, 1837, upon O'Connell's speech in dissolving the General Committee, the *Times* newspaper said—

"Never did an unprincipled demagogue act a more treacherous part towards his wretched dupes than O'Connell is acting towards the people of Ireland, whom he sells, as he slavers them with the slime of panegyric fulsome enough to turn the stomach of a Chinese sycophant ; never was a baser or meaner wretch gibbeted in the annals of political profligacy."

and ministers concurred in his suggestion, an explanation of the lines to be followed in carrying it out being given by Russell six days later. One million had been voted as a loan for the clergy ; and out of that sum £640,000 had been actually advanced. Russell now proposed that the £640,000 should be considered as a free gift, and that £260,000 of the original loan voted should be applied to the remission of the outstanding arrears. This arrangement was accepted by all parties, and Russell's Tithe Bill at length emerged from the workshop of Irish legislative failures and passed into law at the end of August 1838.

On the passing of the Act O'Connell was vigorously attacked in various quarters for the compromise which he had effected between himself and the Government. Father Davern, a Tipperary priest, published a series of letters condemning this surrender of religious principle. But the government of men is carried on by compromise, and to give a little on the one side is not only permissible, but politic, when you can take a little on the other. Thus the Tithe Act, as it took its place upon the Statute Book, contained no secular appropriation clause, the Government having decided to abandon the principle of non-ecclesiastical appropriation in return for a concession made by the Opposition in regard to the Municipal Franchise Bill, although the latter failed eventually to pass. It converted the existing tithe composition into a land tax or rent charge of 75 per cent. of the nominal value of the tithe, which was to be charged to the owner and not the occupier of land—that is, in the great mass of cases to the Protestant landlord, not to the Catholic peasant. This income was to be secured to the existing incumbents by a State guarantee. The claim of the nation to repayment of the advances, which had already been made to the tithe owners, namely £640,000, was abandoned, and the remaining £260,000 was to be devoted to the extinction of arrears. The tithe proctor, having no more to do, was to disappear from Ireland.¹

The Government had renounced their pledges in respect of the appropriation clause, and laid themselves open to a charge of bad faith, which Peel, no inexperienced judge in the matter of apostasy, lost no time in pressing home upon them. He recounted in Parliament how he had offered to carry a measure of reform like the present one and been taunted with having derived it from the preceding Government ; how he was compelled to resign because a measure of the kind ought not, so his opponents said, to be passed without an Appropriation clause ; how those opponents had staked their political existence on this principle, and how they were now proposing without a blush to

¹ Appendix XXXIIIc, epitome of Parliamentary history of Tithe question.

carry a Tithe Bill after all without the appropriation. Grote also said in regard to this transaction, that it afforded a melancholy proof of the way in which great principles were made subservient to party purposes, and that he believed history would note this as one of the most discreditable instances of tergiversation on record. The apostasy was indeed undeniable. The Ministry had certainly succeeded in introducing a Poor Law into Ireland and converting Irish tithes into a rent charge, but the first of these measures had been forced upon the Irish against their wish, and the second had only been carried by the abandonment of the principle by which they had climbed to power. It was Drummond, and not the Liberal Government, who deserved the gratitude of Ireland. Under his rule crime, the crime peculiar to that country, practically ceased. Order was re-established, where chaos had paralyzed all attempts to govern before, and a new spirit had begun to spread abroad in the land, the spirit of hope, which several hundred years of misrule had been unable to completely kill.¹

¹ In 1839 it was stated in the House of Commons by David Richard Pigot (afterwards Chief Baron of Exchequer in Ireland) that "from 1834 to 1838 homicide had diminished 13 per cent. ; firing at the person 55 per cent. ; incendiary fires 17 per cent. ; stealing cattle 46 per cent. ; attacks upon houses 63 per cent. ; killing or maiming cattle 12 per cent. ; levelling houses 65 per cent. ; illegal meetings 70 per cent. ;" whilst during Drummond's tenure of office in Ireland the troops quartered there had been reduced from 32,035 in 1834 to 14,956 in 1840.

CHAPTER VI

POOR LAW OF 1838

"We English pay, even now, the bitter smart of long centuries of injustice to our neighbour Island. Injustice, doubt it not, abounds, or Ireland would not be miserable. The Earth is good, bountifully sends food and increase; if man's unwisdom did not intervene and forbid. It was an evil day when Strigul first meddled with that people. He could not extirpate them; could they but have agreed together, and extirpated him! Violent men there have been and merciful; unjust rulers and just; conflicting in a great element of violence, these five wild centuries now; and the violent and unjust have carried it, and we are come to *this*. England is guilty towards Ireland; and reaps at last, in full measure, the fruit of fifteen generations of wrong-doing."—THOMAS CARLYLE (*Chartism*).

"I will at once declare that I see no chance of tranquillity and welfare for that impoverished and long distracted land, until the Irish people enjoy the right to which the people of all countries are entitled—namely, to be maintained by the soil that they cultivate by their labour. I cannot find terms to express my sense of the injustice and the impolicy, the folly and the wickedness of any longer delaying to Ireland the consolation and the blessing of a well-regulated system of poor laws."—BENJAMIN DISRAELI, in 1834, at High Wycombe.

THE first measure of poor relief was an Act passed in 1703 for the erection of a workhouse in Dublin. The guardians of the institution were empowered to apprehend and keep at work within it all adult vagrants and beggars in the city for any time not exceeding seven years, while juvenile paupers above the age of five years were to be detained until they reached the age of sixteen, when they were to be apprenticed to some Protestant until twenty-one years of age, if girls, and twenty-four, if boys, a rate of threepence in the pound being levied on all householders for the support of this establishment. In 1707 another measure, entitled "An Act for the more effectual suppression of Tories and Rapparees," was carried to meet the growing evils of pauperism, by which all vagrants and persons of loose character were, on the presentment of a grand jury, to be committed to the county jail until transported for seven years, unless they could give security for their good behaviour. In 1715 a third Act was passed, the most important provision of which empowered ministers and churchwardens, with the consent of a justice of the peace, to bind out any child found begging within their parish, or any other poor child with the consent of the parents, to "any honest and substantial Protestant housekeeper or tradesman" until the age of twenty-one in the case of girls, and twenty-four in that of boys. Twenty years later a further

step was taken, an Act being passed in 1735 for the establishment of a workhouse in Cork, similar to the one founded in Dublin in 1703. After this nothing of any significance was done for thirty years to remedy the state of poor relief in Ireland. In 1765, however, a measure was passed for the establishment of county infirmaries to be supported by grand jury presentment. In 1771 the Dublin workhouse merged in the "Foundling Hospital," and provisions were made during the course of the next year for the foundation of "Houses of Industry" throughout Ireland. These establishments resembled in part hospitals, in part houses of correction, and were supported by grand jury presentments. Their governors were empowered to grant badges or licences for begging to approved paupers, and to punish unlicensed beggars by imprisonment and flogging; and they also had the power to hand over the children of licensed paupers to the directors of the Charter schools. In 1781 the fever hospitals were established.

These various attempts to cure the evil of Irish pauperism were like offering a blade of grass with a dewdrop on it to a man with a raging thirst. The poverty of some of the towns was inconceivable; and the disease, the vice, and the misery that tossed upon the same pallet were a vast indictment of the whole system.¹

In 1805 an Act was passed for setting up dispensaries in connection with the county infirmaries, and the grand juries obtained during the next year increased powers of presentment for maintaining fever hospitals and infirmaries. In 1809 Commissioners were appointed to consider the practicability of reclaiming the Irish bogs and thus adding to the resources of the country and providing labour for the poorer classes. In 1814-18 the grand juries obtained further powers of presentment for the support of fever hospitals. In 1817 lunatic asylums were established, and two years later sanitary officers were appointed to attend to the health and comforts of the inhabitants. In 1822 a terrible famine occurred in Ireland, which mowed down the inhabitants like hay. There had already been a famine in 1817, and an accompanying period of typhus fever after the calamity had spent its strength. The Committee appointed to inquire into the condition of the people reported on June 7, 1819, that the state of the country was appalling, and that the Government should provide work—"seeing that landlords in Ireland threw expenses of buildings and repairs on the tenant, and bearing in mind the lamentable circumstance, almost peculiar to that country, of the non-residence of a great proportion of proprietors, they think that Ireland has a claim to the generous consideration of Parliament."

¹ Appendix XXXIV, quotation from the Rev. James Whitelaw.

The famine of 1822 was worse than its predecessor, and the landlords were largely to blame, as was demonstrated by the Committee of the London Tavern, a committee of English gentlemen which was formed to relieve the distress, and whose agents visited the famine-stricken districts.¹

A stone of potatoes, which had usually been sold for 1*d.* or 1½*d.*, could not be bought now for less than 6½*d.*, and, whilst Cabinet Ministers were speculating as to the expediency of one more Coercion Act, gaunt hunger stalked through the land. Thirteen thousand people in the barony of Clonderalaw in Clare County were reported to be without seed for the next crop. The parish of Finloe contained 817 persons, and 696 of these were in absolute want of food. In a parish in Clare the population, after mass, inquired what crimes were punishable by imprisonment, for they were willing, they declared, to be sent to jail for the sake of obtaining bread. At Tralee the poor were actually dying of starvation, whilst in Cork it was no uncommon sight to see persons fainting away in the streets for mere want of food. Fever was soon added to famine, and they struggled together in the emaciated frame. Thousands of the Irish died. Outrage and riot succumbed at last to exhaustion, and the voice of despair was hushed in the grave. Meanwhile the fashionable world, appreciating the propriety of fulfilling the formalities of sudden charity, gave a great ball in London for the purpose of raising subscriptions, and danced away for the Irish famine.

On April 22 a debate took place on the renewal of Sir John Newport's motion for inquiry into the state of Ireland. Grant,² the late Chief Secretary, who had succeeded Peel in August 1819, declared that not merely was the landlord an absentee, but frequently the agent also, and that the agent and his deputy used to exact from the tenants the miserable pittance which had been left to them after the payment of their rack-rent. Newport's motion was eventually withdrawn, but Goulburn, who had succeeded Grant in the Chief Secretaryship in 1822, introduced a Bill appropriating half-a-million to facilitate the employment of the poor in road-making and other public works. They were to be carefully supervised by Government officers, and the amount of money granted was not to exceed the sum for which grand juries had made presentments. Many of these works, however, were absolutely profitless, such as the obelisk on Killiney Hill, which has remained a memorial not only of the famine but of the mental vacuity of the Government of the day. In 1825 an Act was passed for facilitating the transmission of "distressed children" to the Foundling Hospital,

¹ Appendix XXXIVA, extracts from report of the Committee and Annual Register.

² Charles Grant, Lord Glenelg (1778-1866).

which, in view of the reputation of that notorious establishment, could hardly be considered a momentous achievement in the history of Irish poor-law reform. The need for some earnest, practical thinker, a little taller, and broader, and more enlightened than the average rulers of Ireland, was never more crying than at that moment.¹ Sir Walter Scott wrote in his diary under November 20, 1825—

"I was in Ireland last summer, and had a most delightful tour. There is much less exaggeration about the Irish than might have been suspected. Their poverty is not exaggerated; it is on the extreme verge of human misery; their cottages would scarce serve for pig-sties, even in Scotland—and their rags seem the very refuse of a rag-shop, and are disposed on their bodies with such ingenious variety of wretchedness, that you would think nothing but some sort of perverted taste could have assembled so many shreds together. You are constantly fearful that some knot or loop will give, and place the individual before you in all the primitive simplicity of Paradise."

In addition to the other evils which thus pressed upon the land, it must also be remembered that ever since the Union the manufacturing industry of Ireland had been diminishing. This circumstance told severely upon the poorer classes, for less hands were employed in the towns than formerly, and those persons who had made their living out of manufactures were either thrown upon the soil for their subsistence, or forced to seek shelter in other countries.²

According to statistics collected by Isaac Butt, there were, in 1800, in the city of Dublin, 91 master manufacturers engaged in the woollen manufacture, in 1840 there were only 12, and in 1864 but 8. In 1800 there were 4,038 hands employed in the same industry, and in 1841 only 682. In 1800 there were in the town of Roscrea, in Tipperary, 900 persons supported by the woollen manufacture, but in 1867 there was not one. Again, in 1800, the manufacture of flannel employed 1,000 looms in the county of Wicklow, and in 1867 there was not one. In 1800 there were 30 master wool-combers in Dublin, and in 1834 there were only 5. In 1800 a blanket manufactory existed in Kilkenny affording constant employment to 3,000 operatives; in 1841 the number had been reduced to 925. In 1800 there were 1,491 persons employed in the city of Dublin in stuff serge manufacture; in 1834 there were only 131. In 1800, 720 operatives were

¹ Appendix XXXV, quotation from J. G. Lockhart.

² In a speech delivered by Mr. Boyton, at the Irish Conservative Society, on the 3rd of February, he said—

"Formerly we spun all our woollen and worsted yarn. We imported, in 1790, only 2,294 lbs.; in 1800, 1,180 lbs.; in 1826, 662,750 lbs.—an enormous increase. There were, I understand, upwards of thirty persons engaged in the woollen trade in Dublin, who have become bankrupts since 1821."

employed in the carpet manufacture under 13 masters, and in 1841 there was only one carpet-maker. In 1800 there were in Dublin 2,500 broad looms in the silk manufacture; and in 1840 there were only 250. In Ulster the manufacturing industry did not experience the same decay, and that this was owing to the greater security of the tenant in his holding and the greater prosperity which accrued to him in consequence, no one who has studied the history of Ireland will be inclined to deny.

In 1832 Michael Sadler¹ made certain proposals in Parliament to amend the Irish Poor Laws and give vitality to the system of poor relief; but his endeavours were abortive, his failure to effect a reform being largely owing to O'Connell's opposition, an opposition which was very inconsistent with the whole tenor of the latter's previous declarations. O'Connell's irresolution, however, was probably sincere. He had promised the Irish poor that he would never rest until he had obtained a poor law for them; and this change of front may have been due to the conviction, which he frequently afterwards expressed, that compulsory charity was contrary to the spirit of religion, and tended to sap that free almsgiving which he regarded as one of the duties of a Christian directly enjoined in Scripture. In 1833 Grey appointed a Commission to inquire into the condition of the Irish poor, as well as the whole state of the pauper system in Ireland, and they continued their labours until 1836.

Pending the final report of the Poor Law Commissioners, a resolution was moved by William Smith O'Brien on the 19th of March, 1835, to the effect that it was expedient to make some provision for the aged, infirm, and helpless poor in Ireland by assessment upon property in that country. He therefore proposed that every parish in Ireland should assess itself for the relief of the helpless and impotent poor; the maximum of assessment to be fixed at a shilling in the pound, two-thirds being contributed by the landlords, and the remainder by the tenants; and he also suggested that an absentee-tax should be imposed on the landlords, and a committee appointed annually to administer the law. Ultimately, however, he withdrew the resolution, satisfied that the question had been stirred and discussed upon its merits. On the 8th of July, 1835, Sir Richard Musgrave moved the second reading of a Bill for the employment of the able-bodied and the relief of the infirm poor of Ireland. He proposed that public works should be undertaken by the State with a view to the former object, and that for the latter committees should be formed in every city and parish in the country to make accurate lists of the aged and infirm poor and fix a rate for their relief, three-fourths of which should be borne by the landlords, and the

¹ Michael Thomas Sadler (1780-1835). The last few pages of his *Ireland; its Evils, and their Remedies*, might have been written yesterday.

rest by the occupying tenants. The Bill, however, was eventually dropped. Another attempt was made on the 13th of February, 1836, by Poulett Scrope,¹ who introduced a Bill for the establishment of a Central Board in Dublin to regulate the union of parishes and of particular districts, the poor being relieved by a rate on each union. He also proposed that schemes of public works and emigration should be devised and carried out under the Board for the benefit of the able-bodied poor, and his Bill was read a first time without opposition. On the 3rd of March of the same year Smith O'Brien likewise brought forward certain proposals of a similar texture, but they never got beyond the first reading.

The Grey Commission appointed in 1833 now issued their report. The social state of Ireland was discovered to be worse than had even been suspected by the most ardent of her sympathizers. Until 1835 the law had not recognized a marriage celebrated by a Roman Catholic priest, and as the Irish poor were always married by their own pastors, all their children born before 1835 were technically illegitimate; and the parish, up to the date of the new Poor Law in 1834, was liable for the support of illegitimate children. The Commission found that the proportion of paupers to the rest of society was twice as large in Ireland as in England. England, they said, contained thirty-four and a quarter million acres of cultivated soil, tilled by 1,055,982 labourers, who on an average received 8s. to 10s. a week in wages, and who produced food of the estimated value of one hundred and fifty millions. Ireland contained 14,600,000 cultivated acres, tilled by 1,131,715 labourers, who received 2s. to 2s. 6d. a week in wages and who only produced food worth thirty-six millions. But the majority of the Irish could not command even these miserable wages. Nearly one-third of the entire population, or 2,385,000 souls, were dependent on the produce of the little plots of land which surrounded their wretched hovels. The potatoes which they wrung from the exhausted soil rarely lasted throughout the year, and for thirty weeks in every twelve months the hunger-bitten cottiers and their families could not even obtain an adequate supply of diseased potatoes for their subsistence.²

The Irish poor consequently crowded into England, and in order to keep body and soul together were glad to take any wage offered to them by any kind of employer, so that the English labourer was often ousted by this unnatural competition from earning his own bread. The rent of Irish land according to the computation of the Commissioners amounted to ten millions sterling a year, four millions of which was absorbed by encumbrances on property, which thus left the Irish landlords a net income of only six millions. But the support of 2,385,000

¹ George Julius Poulett Scrope (1797-1876).

² Appendix XXXVI, Commissioners' third Report.

paupers for thirty weeks would require a rate of at least five millions, and thus swallow five-sixths of the income of the Irish landlords. The Commissioners therefore deprecated a Poor Law for Ireland on the ground that its tendency would be to pauperize the landlords without affording adequate relief to the tenants.

The majority of the Irish paupers, so they said, were able-bodied peasants, eager to work honestly for their livelihood, but from no fault of their own destitute of employment. Such men, they declared, would endure any hardship and the pangs of any suffering rather than stagnate in a workhouse, and they urged that the proper mode of dealing with them was to afford them the means of earning their daily bread by honourable means. They therefore proposed that relief should be afforded only to the mentally and physically infirm, to those who were either too old to work or too young or in cases of casual destitution. For the relief of the sick and impotent poor they advocated the establishment of voluntary associations controlled by State Commissioners, and they suggested that the revenues of these bodies might be supplemented by a parochial rate. As for the able-bodied poor, they recommended employment and emigration. For the former purpose, therefore, they proposed that a "Board of Improvement" should be established in Dublin under whose direction public works might be undertaken, Irish bog districts reclaimed, the waste stretches drained and fenced, land in occupation better cultivated, the sordid dwellings of the peasants improved, model agricultural schools opened, and the general welfare of the country attended to. Fiscal Boards were also, as part of the new system, to be established in all the counties, to make presentments for public works instead of the grand juries, and the landlords were to contribute a rate for the improvements made with the sanction of this Board on their estates. These improvements would, the Commissioners imagined, absorb the great majority of the Irish poor, whilst whatever residue might be left could emigrate to other climes. For this latter purpose depots were to be formed in various parts of the country, and requisite facilities afforded to those peasants whom misery drove from their native soil.

This plan, which was a valuable contribution to Irish history in spite of the impracticable nature of some of the Commissioners' remedial suggestions, and by no means the tissue of idiotic dreams such as have inflated the weak imaginations of many would-be reformers since their day, did not commend itself to Ministers, and George Cornwall Lewis, who was at that time quite a young man, was asked by Spring Rice¹ to draw up a paper upon it. This he did so completely as to demolish in the

¹ Thomas Spring Rice, first Baron Monteagle of Brandon in Kerry (1790-1866). At this time Chancellor of the Exchequer in Melbourne's Second Administration.

eyes of the Government the suggestions of the laborious Commissioners. He attempted to show that their scheme was a proposal for the management of private property by the State, which would lead directly to an extravagant waste of public money, if, indeed, the project was practicable at all. Lewis' paper frightened the Ministers into disregarding the report of the Commissioners, and they sent Mr. (afterwards Sir George) Nicholls, one of the three English Commissioners, to Ireland to report afresh upon the whole subject. Nicholls remained six weeks in Ireland, and scoured the country like an American tourist. But so confident of his statesmanship was this sweating land-trotter and would-be physician of Irish ills, that in six weeks' time he had solved the Irish Poor Law problem. He first rejected the estimates of the Commissioners as mere moonshine, and then proceeded to draw up a report of his own recommending the erection of 80 to 100 workhouses to hold 1,000 persons each, an undertaking which he calculated would cost about £700,000; and the Government, feeling themselves obliged to support their own dependent, approved of his plan, and founded upon it their Poor Law of 1838.¹

The Government measure, which was first introduced on the 13th of February, 1837, and suspended by the dissolution of Parliament which followed upon the death of the King, was brought forward once more in 1838. It provided for the establishment of a hundred workhouses, where relief and employment were to be afforded exclusively to the destitute poor, infirm, and able-bodied, no relief outside the workhouses being permissible. The whole country was to be divided for this purpose into about 120 unions, the landlords and tenants of each union being rated in equal shares for the support of the poor within the union. The system was to be administered by local boards of guardians, consisting of elected and *ex officio* members, the former to be exclusively lay and not to exceed one-third of all the guardians chosen; and the local boards were to be placed under the control of a central authority in Dublin, to consist of Commissioners chosen from the English Board of Poor Law Commissioners. There was to be no law of settlement under the new system. The Bill was read a second time on the 5th of February, 1838, and, on the motion for its committal, O'Connell moved its rejection, but was beaten by a majority of 252. In the shape in which the Bill left the Commons it contained a clause proposing that the whole country should be divided into unions, each union to be rated at large for the maintenance of the poor relieved in the workhouse attached to it. The Duke of Wellington now suggested as an alternative that each union should be subdivided

¹ Appendix XXXVII, quotations from Gustave de Beaumont and the report by Thomas Drummond.

into electoral districts, and each district made chargeable with the support of its poor, in order that every parish should bear its own burdens. This amendment, the only one of any importance, having been accepted, the Bill was passed and received the Royal assent on July 31, 1838.

By the 25th of March, 1839, twenty-two unions were declared, and in eighteen of these guardians were appointed; whilst in the course of the following year, 127 unions were declared, three only remaining to be formed, whilst fourteen workhouses were already opened for the reception of paupers. In 1843, it being found that whatever resistance was offered to the new system proceeded principally from occupiers rented at or under £4, an Amended Poor Relief Act was passed, which provided for the exemption of such occupiers from the payment of poor rates. The Act also contained a settlement clause, by which it was necessary that a pauper should have occupied some tenement in a given electoral division for twelve out of eighteen calendar months previous to his application for relief, in order that such electoral district might be rated for his support. In 1847 another Amended Poor Relief Bill, described more fully under the section which treats of the Great Famine, was carried through by Russell. It authorized the granting of out-door relief to permanently infirm poor, and increased the number of *ex officio* guardians from one-third to one-half of the whole body of guardians in each union. The "quarter-acre clause" was also made part of the measure, and caused more trouble than the evil it was meant to cure.

In the same year that witnessed this legislative experiment, Morgan John O'Connell moved a resolution in the House of Commons to remedy the state of affairs which had arisen as a result of the acceptance of Wellington's amendment to the Poor Law Bill of 1838. The Duke, as we have seen, had proposed the substitution of electoral for union rating, with the view of decentralizing the areas of responsibility and inducing the landlords in self-defence to interest themselves in the welfare of their tenants. But the landlords had ingeniously proceeded to clear the tenants off the rates in the rural electoral divisions by evicting them when they became destitute. The outcasts thereupon flocked to the towns, where, stripped of the ordinary means of subsistence, they soon were thrown upon the rates. Thus the landlords escaped from the responsibility which would have lain upon them, shaking off not only the burden of their poor but the detestable fardel of the country poor rates. Morgan John O'Connell's remedial motion for the substitution of electoral for union rating was rejected by a majority of ninety-nine; but the question was not allowed to drop, and between 1861 and 1871 it

was on several occasions brought before the notice of the House of Commons.

In 1850 the Government consented to issue an additional £300,000 to the most embarrassed Irish unions, thus raising the whole nominal debt due from Ireland to £4,783,000, and at the same time to extend the period of repayment of the advance to forty years. In 1862 a further Poor Law Act was passed in accordance with the recommendations of a committee, appointed in 1861 to inquire into the Poor Law system. The most important alteration made in the existing law consisted in a modification of the "quarter-acre clause." The Bill, as originally framed, provided for the simple repeal of the clause, but the House of Lords decided that the clause should be maintained as far as out-door relief was concerned. In 1871 a committee of the Lower House was appointed to inquire into the matter of rating, and it declared in favour of union rating by a majority of one. In 1873 Lord Hartington, who had presided over this committee, gave it as his opinion in the House of Commons, that the system of union rating ought to be adopted, since that of electoral rating had "placed undue pressure on the urban divisions, encouraging the destruction of labourers' houses, and discouraging their erection." This suggestion was embodied in a Bill introduced by O'Shaughnessy the year after, but the proposal did not commend itself to the House, and on the motion of Mr. Kavanagh,¹ member for Carlow, it was rejected.²

¹ Arthur Macmorrough Kavanagh (1831-1889). Born with only the rudiments of arms and legs.

² Appendix XXXVIIA, further history of the unions.

CHAPTER VII

MUNICIPAL REFORM ACT, 1840

THE history of the reform of municipal procedure in Ireland is one more proof, were any other required, of the unequal treatment meted out as between Protestants and Catholics in that country at the beginning of last century, and the spirit of intolerance that was abroad in the land.

In 1172 Henry II granted two charters to the citizens of Bristol. By the first they became possessed of the City of Dublin, "with all the liberties and free customs which the men of Bristol had at Bristol and throughout the King's territory," and by the second they were freed from "all imposts throughout England, Normandy, Wales, France, and Ireland." In the reign of John two more charters were obtained. By the first, in 1192, the boundaries of Dublin were defined, and the citizens given the right to distrain their debtors by their chattels in Dublin, and to hold pleas, according to the custom of the city, of debts lent in the city and pledges given there. They were also to have all their reasonable guilds as the burgesses of Bristol had, and to possess and dispose at their pleasure of all the tenures within and without the walls up to the boundaries. By the second charter, in 1215, which confirmed all the former ones granted by Henry and John, the payment of an annual rent was substituted for the irregular contribution previously levied on the citizens under that name. In 1229 Dublin obtained the privilege of a mayor. In 1327 the profits and management of the markets, which had been established in the reign of John, were vested in the mayor and citizens. In 1538, the King, in consideration of their services in defending the city against the rebellion of Thomas Fitzgerald,¹ granted to the mayor, bailiffs, citizens, and commons the site and estates of the dissolved priory of All Saints, in the counties of Dublin, Meath, Kildare, Louth, Tipperary, and Kilkenny, and elsewhere in Ireland at the nominal yearly rent of £4 4s. 0½d. Finally, in the reign of Charles I the principal officer of the city of Dublin was permitted to assume the title of "lord mayor."

¹ Thomas Fitzgerald, Lord Offaly, tenth Earl of Kildare, born 1513; executed at Tyburn 3rd February, 1537.

From the reign of Elizabeth to 1793, Catholics were excluded from the Corporation of Dublin by law, and from 1793 to 1840 they were excluded from it by custom. In the latter year the corporation consisted of a lord mayor, two sheriffs, twenty-four aldermen, and 144 common councilmen; and such was the state of municipal government in that city that none of the respectable traders or merchants of the city were members of the common council. In addition to Dublin, thirty-nine municipalities were created in Ireland previous to the reign of James I. When James I came to the throne, he created forty-six Irish boroughs with a stroke of the pen, and gave them parliamentary representation and municipal rights. His successor created one such, and Charles II fifteen; that is to say, altogether sixty-two municipalities were begot by the Stuarts. The whole object of the creation of these mushroom bodies was that they might support "the English interest" in the Irish House of Commons, and municipal officers who conscientiously shrank from compelling Protestant modes of worship in their respective towns were unceremoniously bundled out, and more subservient creatures of the Government set in their place.¹

Meanwhile the new parasitic holders of office surrendered the rights and privileges of their townsmen into the royal hands, and accepted fresh charters from the Sovereign, which allowed scarcely any powers to the local residents, and invested the nomination of all important offices in the Government. In 1672 some relaxation of the Protestant monopoly took place in virtue of the "new rules" issued by the Irish Government; but the Revolution of 1688 deprived the rules of all their virtue, and the whole of the social and other advantages derivable from municipal institutions were once more monopolized by the ravenous disciples of the Protestant faith. Besides Dublin and the larger towns of Ireland, there were in the eighteenth century about a hundred of these petty municipalities and Parliamentary boroughs, but they were mere appanages of the neighbouring leading families without any municipal feeling whatsoever, and, as stated above, were exclusively exploited in the interest of the members of the Established Church.²

Between the reign of Charles II and the consummation of the Union there were 112 municipalities in Ireland. A large majority of these boroughs were deprived of their Parliamentary representation at the Union; but they retained their nominal municipal rights, and continued, under the control of the chief

¹ Henry Hallam wrote—

"These grants of the elective franchise were made, not indeed improvidently, but with very sinister intents towards the freedom of Parliament; two-thirds of an Irish House of Commons, as it stood in the eighteenth century, being returned with the mere farce of election by wretched tenants of the aristocracy."

² Appendix XXXVIII, quotations from Edward Wakefield, etc.

landed gentry, to swarm with the grossest excesses of undisguised corruption, secret speculation, and scandalous maladministration. Between the Union and 1835, thirty of these disreputable bodies became extinct. Their exclusive character prior to 1840 was what might have been expected. Maryborough had a population of 5,000, but only possessed nine corporators; Thomastown one of 2,871, and only nine corporators; Londonderry one of 19,620, and only thirty-eight corporators; Pelturbet one of 2,026, and only nine corporators; Cavan one of 2,931, and only six corporators; Belfast one of 53,287, and only twenty-one corporators; and Newtownards one of 4,442, and only eight corporators. Thus the reform of the Irish municipal system was clearly imperative. The corporations embraced a population of 900,000, of whom only 13,000 were corporators. Since 1792 the corporations had, in law, been open to Catholics, but up to 1835 only 200 Catholics had been admitted to them in all Ireland. Tuam was the only town in Ireland in which there was a majority of Roman Catholics on the governing council. Limerick had a population of 66,000, but only possess 271 corporators. The people of Cashel were suffering from a want of water. There was not the smallest difficulty in providing the town with an adequate supply at a cost of £2,000 or £3,000, and the Corporation owned property in the neighbourhood which was worth at least £2,000 a year. But it was unwilling to waste its substance for so trivial and unremunerative a cause, and the town had consequently to go without one of the requisites of life.

At length, on the 31st of July, 1835, Louis Perrin, at that time Irish Attorney-General, introduced a Bill on behalf of the Whig Government for the reform of Irish municipal corporations. It aimed at restoring to the citizens of Irish corporate towns the privileges originally granted to them, and proposed with this end in view to convert the governing bodies of every municipality into councils elected by popular suffrage. In seven of the largest towns the electors were to consist of £10 householders, and of £5 householders in the smaller ones, the qualification of a councilman in the larger towns being the possession of £1,000, and in the smaller ones of £500. The councillors who received the greatest number of votes were to be aldermen, one-half of the aldermen withdrawing triennially, and one-third of the councillors retiring from office once a year. The measure was carried successfully through the Commons, but on account of the advanced state of the session, and the difficulties which it was anticipated would be met with in the Lords, was abandoned by the Government before entering the Upper House. In the speech from the Throne on the 14th of February, 1836, a hope was expressed that a remedy might be applied to the defects and evils in Irish municipal institutions, founded on the same prin-

ciples as those contained in the Acts already passed for England and Scotland. The same month, therefore, Sir Michael O'Loughlen, the Attorney-General for Ireland, brought forward on behalf of the Government another Irish Municipal Reform Bill, a royal commission having meanwhile investigated the state of Irish corporations and diagnosed their disease. The object of the new Bill was to give the inhabitants of towns, subject to a qualification according to rating, the power to elect town councillors, and thus infuse a popular element into the little close municipal boroughs. On the introduction of the measure, Peel proceeded to oppose the Government and to project a counter plan of his own. Arguing that Ireland was not ripe for a system of municipal institutions such as existed in England, and thus unconsciously condemning from the outset the whole policy pursued in regard to Ireland for a century, he moved an amendment that the old corporations should be abolished and a body of commissioners appointed by the Crown established in their place. On the 7th of March Lord Francis Egerton moved an "instruction" embodying Peel's amendment, but his motion was rejected by 307 to 243, and O'Loughlen's Bill finally passed the lower House by a majority of 61. In the Lords, however, Lord Fitzgerald appropriated and moved Peel's and Egerton's amendments on the 26th of April, and through Lyndhurst's influence the Bill was transformed in accordance with them. It was on this occasion that the latter delivered his celebrated "alien" speech. Speaking against the Bill, Lyndhurst urged the Government to beware lest they allowed the administration of Irish affairs to fall into the hands of "aliens in blood, in language, and religion." He feared this new reform, this belated bugbear of redress, this insignificant particle of justice, this snub to monopoly and Castle power. He would reform Ireland on totally different principles.

"My Lords, where is this to stop? Concession leads to concession. When will the noble Viscount stop in his downward career? The Ministerialists themselves say, 'We will receive all you offer, but we will only take it as an instalment, and we will never cease agitating till the Protestant Church is laid prostrate.' And this, the noble Viscount tells us, is the only mode of governing Ireland. It seems, my lords, that we Protestant Englishmen are to be governed by those who are aliens in blood, in language, in religion."

He soon met with a reply. The tirade, that unanswered would have perished a natural death a few hours after its delivery, was dragged into the glare of day and pitilessly made to live in one of the finest specimens of oratory that has ever adorned the deliberations of the Legislature. Lyndhurst's amendment in the Lords reduced the original Bill to a mere

stump, and in view of the obstacles thus thrown in his path Russell in June proposed a compromise. The twelve largest towns were to retain their municipal corporations, but the latter were to be reformed, and the franchise in those towns was to be confined to £10 householders. All the other towns were to lose their corporations, and commissioners were to take their place, who were not to be appointed, however, by the Lord-Lieutenant, as proposed by Peel, but elected by the inhabitants. In the case of these towns the franchise was to be conferred on £5 householders. Sharman Crawford at once condemned the restricted nature of the compromise, and moved an amendment to include sixteen additional towns in the category of those that were to have municipal corporations; but his motion was rejected by a majority of 140. On the 27th of June, 1836, Russell's compromise was brought under the consideration of the Lords, but it was rejected through Lyndhurst's influence by 220 to 123, and in view of this opposition the Bill was postponed.

On the 7th of February, 1837, Russell again brought forward the Corporation Bill that Lyndhurst had obstructed the year before.¹ Like its predecessors, it emerged safely from the Commons, but like them was suffocated in the uncongenial atmosphere of the Lords. Peel, attempting to exculpate himself for having unwillingly been forced into a measure of reform, declared during the debate—

"In the year 1829 we passed the Act for the relief of the Roman Catholics. I never took any praise to myself for the part I had in passing that measure, because I own it was forced upon me. I leave to others the sole credit of having passed it, but to charge me with having passed it for the purpose of retaining office is altogether unjust and groundless."

He was yet to discover that the spirit of reform was not quite extinct, that the opposition of an apostate was not irresistible, and that various other measures considered indispensable for the country's welfare were destined, as in 1829, to be most disagreeably forced upon him.

On the 22nd and 23rd of February, 1837, during the debate on the motion for going into committee, Lyndhurst, little suspecting the pillory in which he was to stand, entered the gallery of the House of Commons accompanied by Wellington. The opportunity was favourable, the nation was the audience, and Sheil, summoning all his forces, poured forth a lava stream of invective such as rarely before or since has so withered the pride and confounded the argument of a hidebound Government official. In this twentieth century the very name of Lyndhurst

¹ Appendix XXXVIII A, extract from speech by Lord John Russell.

is probably only known to the schoolboy through the oratory of Sheil. In that display the Lord Chancellor is gibbeted for as long as the English language lasts, a painful but salutary warning to other bigots of his kind. Having referred to the general misgovernment of Ireland, the promises lavishly held out and their niggardly fulfilment, Sheil continued—

“From the day on which Strongbow set his foot upon the shore of Ireland, Englishmen were never wanting in protestations of their deep anxiety to do us justice; even Strafford, the deserter of the people’s cause—the renegade Wentworth, who gave evidence in Ireland of the spirit of instinctive tyranny which predominated in his character—even Strafford, while he trampled upon our rights, and trod upon the heart of the country, protested his solicitude to do justice to Ireland. What marvel is it, then, that gentlemen opposite should deal in such vehement protestations? There is, however, one man of great abilities, not a member of the House, but whose talents and whose boldness have placed him in the topmost place in his party, who, disdaining all imposture and thinking it the best course to appeal directly to the religious and national antipathies of the people of this country—abandoning all reserve, and flinging off the slender veil by which his political associates affect to cover, although they cannot hide, their motives—distinctly and audaciously tells the Irish people that they are not entitled to the same privileges as Englishmen, and pronounces them in any particular which could enter his minute enumeration of the circumstances by which fellow-citizenship is created in race, identity, and religion—to be aliens—to be aliens in race—to be aliens in country—to be aliens in religion. Aliens! [raising his voice to its highest pitch, and looking straight to where Wellington and Lyndhurst were sitting]. Good God! was Arthur, Duke of Wellington, in the House of Lords, and did he not start up and exclaim, ‘Hold! I have seen the aliens do their duty’? The Duke of Wellington is not a man of excitable temperament. His mind is of a cast too martial to be easily moved; but, notwithstanding his habitual inflexibility, I cannot help thinking that when he heard his Roman Catholic countrymen—for we are his countrymen—designated by a phrase as offensive as the abundant vocabulary of his eloquent confederate could supply—I cannot help thinking that he ought to have recollected the many fields of fight in which we have been contributors to his renown. The battles, sieges, fortunes that he has passed ought to have come back upon him. He ought to have remembered that, from the earliest achievements in which he displayed that military genius which has placed him foremost in the annals of modern warfare, down to the last and surpassing combat which has made his name imperishable—from Assaye to Waterloo—the Irish soldiers, with whom your armies are filled, were the inseparable auxiliaries to the glory with which his unparalleled successes have been crowned. Whose were the arms that drove your bayonets at Vimiera through the phalanxes that never reeled in the shock of war before? What desperate valour climbed the steeps and filled the moats of Badajos? All his victories should have rushed and crowded back upon his memory—Vimiera, Badajos, Salamanca, Albuera, Toulouse, and last of all, the

greatest.—Tell me, for you were there—I appeal to the gallant soldier before me [Sir Henry Hardinge], from whose opinions I differ, but who bears, I know, a generous heart in an intrepid breast—tell me, for you must needs remember, on that day when the destinies of mankind were trembling in the balance, while death fell in showers; when the artillery of France was levelled with a precision of the most deadly science, . . . tell me, if for an instant, when, to hesitate for an instant was to be lost—‘the aliens’ blanched? And when at length the moment for the last and decisive movement had arrived, and the valour which had so long been wisely checked, was at last let loose—when, with words familiar but immortal, the great captain commanded the grand assault—tell me, if Catholic Ireland, with less heroic valour than the natives of this your own glorious country, precipitated herself upon the foe. The blood of England, Scotland, and of Ireland flowed in the same stream, and drenched the same field. When the chill morning dawned, their dead lay cold and stark together; in the same deep pit their bodies were deposited; the green corn of spring is now breaking from their commingled dust; the dew falls from heaven upon their union in the grave. Partakers in every peril—in the glory shall we not be permitted to participate? And shall we be told, as a requital, that we are estranged from the noble country for whose salvation our life blood was poured out?”¹

This was more than fine rhetoric. It was the pent-up feeling of a life-time—pain at the intolerance, the injustice, the ignorance, the want of common manliness that the rulers of Erin had exhibited in their government of her. Lyndhurst, in impotent fury, sprang to his feet to answer Sheil, forgetting the place in which he was, but he was ludicrously pulled back on to his seat by his coat-tails by some friend who was with him, and there collapsed, convulsed with rage, and burning with shame, as fair an example of the biter bit as had ever been seen at Westminster. Richard Lalor Sheil died on May 25, 1851. Although his eloquence was typically Hibernian and suffered from many of the faults characteristic of Irish speaking, some of his orations will be handed down to a distant posterity for the sake of their barbed wit and wealth of picturesque and glowing language. He possessed an endless vocabulary of synonyms, and revelled in them unrestrainedly, but the rhythm and consonance of his sentences almost redeemed this too profuse display of words and enchanted his hearers before ever they had time to criticize. His delivery was the weakest point in his forensic armour. A shrill, meagre voice, accompanied by abrupt and disorderly gestures, conspired to neutralize the effect of his most splendid passages, and provoked many of his early audiences to laughter, and it was only by dint of Demosthenic patience and application, that he was able to curb these idiosyncrasies and train the natural awkwardness of his manner. He was an excitable and hypersensitive little man, with a dark crop of hair, sparkling

¹ “Speeches” of Sheil, edited by Thomas Macnevin.

eyes, a pale complexion, and a pointed chin. Every word, although rehearsed carefully beforehand, seemed to be on fire with earnestness and passion. He had written several dramas, that had been successfully performed, and few speakers had studied the art of theatrical situations more deeply. Envy, atrabilious and spiteful, dubbed him a play-actor in consequence, who practised his histrionic tricks to any tune that might be playing at the moment. The truth probably hung midway between the two extremes, the adoration of his friends and the enmity of his detractors. His ambition may in a measure have been that of the professional player, but though he acted well, he *felt* his part.¹

Russell's Bill at length passed the Commons, but its progress was once more obstructed in the Lords, and in consequence of this opposition it was finally dropped. At the beginning of 1838 he reintroduced it, and a compromise was arranged between himself and Peel with a view to settle both the tithe and corporation questions. The plan proposed by Peel, who had executed a complete *volte-face*, was as follows. He was willing to grant corporations to the eleven largest towns in Ireland at once, and to allow the majority of electors of the smaller towns to apply for a charter of incorporation to the Lord-Lieutenant, provided that in the case both of the large and smaller towns the municipal franchise were fixed at £10 with the test of rating. Peel's suggestions were accepted by Russell with one reservation, namely, that the franchise in the smaller towns should be fixed at a £5 instead of a £10 rateable value. But Peel would not agree to this arrangement, and so the compromise broke down, Peel's motion in favour of his own plan being defeated by a Ministerial majority of 20. Russell's Bill with its £10 franchise for the larger and £5 franchise for the smaller towns then passed the Commons and entered the Upper House, where Lyndhurst, still smarting from his recent castigation, persuaded the Peers to mutilate it by striking out the £5 qualification for the smaller towns, by the possession of which they were to be allowed elected Government bodies, and to substitute for it one of £10 clear annual value. The amended Bill was then returned to the Commons, who substituted for Lyndhurst's £10 qualification one of an £8 rateable value. But the Lords would not agree to the further amendment, and in view of this determined resistance the measure was finally abandoned. In 1839 Morpeth made a similar attempt to carry a measure of municipal reform, the franchise in the smaller towns being fixed by his Bill at £8. But his proposals had to be

¹ Sheil was born on the 17th of August, 1791. He wrote successively *Adelaide, or, the Emigrants*; *The Apostate*; *Bellamira, or, the Fall of Tunis*; *Evadne*; *The Huguenot*; *Montoni*.

abandoned for the same reason that Russell's had proved abortive the year before. They passed the Commons, but were obstructed and recast in the Lords, the £8 being changed to £10. So arduous was each step in the ladder of Irish Reform.

In 1840 Morpeth again introduced a Municipal Reform Bill, which this time had the advantage of Peel's influential support. By the new arrangement the eleven largest towns were continued as corporations under the provisions of the Act, to be composed of mayor, aldermen, and burgesses, the franchise in them being fixed at a £10 rating. Thirty-seven smaller corporations were dissolved, nineteen of which possessed corporate property to the amount of £100 a year and upwards, and eighteen corporate funds to a smaller amount. Any of these thirty-seven boroughs, which had a population exceeding 3,000, could apply for a charter on the petition of the majority of the inhabitants rated at £8 to the Queen in Council, the affairs of these towns, pending the application, being managed by Commissioners appointed under the Act of George IV. As for the remainder of the thirty-seven, the corporate funds of those of the first class were to be vested in Commissioners in the proportion of one Commissioner to every 500 inhabitants, and those of the second class to the Poor Law guardians and applied to public objects. Lyndhurst as usual mutilated the Bill, when it entered the Lords, by insisting upon the municipal franchise being raised in the smaller towns to £10, thus permitting only the largest towns to obtain the advantage of self-government, and with this alteration the feeble measure was eventually passed. Another provision in the Bill, which robbed it of much of its grace in the eyes of the Irish, was that the Sheriff was not to be elected by the town councils, as was the custom in England, but appointed by the Lord-Lieutenant. The town councils, indeed, were to be allowed to submit certain names to the Viceroy for selection, but if all of them were repugnant to him, he was to be able to nominate a man of his own choice.

Thus, after long waiting, the Irish had at last succeeded in obtaining the advantage of elective governing bodies for their largest towns. One of the results of the Act was the election of O'Connell as Lord Mayor, the first Roman Catholic to occupy the position since the Revolution of 1681. The election took place on November 1, 1841, in the Assembly Rooms, William Street. Later on he made an arrangement by which the mayors were to be Protestant and Catholic in alternate years, and this agreement was maintained until the rise of the Land League in 1880.

This crippled measure was a great disappointment to O'Connell. He had determined to support the Melbourne Government as long as he conscientiously could, and had continued to maintain

the alliance even after the passing of the Tithe Act, although he had formed the Precursor's Society to agitate for Municipal Reform. The belated, strengthless reform had now come, but was worth absolutely nothing. As Sir Erskine May has said—"The tedious controversy of six years was at length closed, but the measure virtually amounted to a scheme of municipal disfranchisement." O'Connell was therefore determined to have done with this solemn trifling and once more to raise the cry of repeal.

CHAPTER VIII

O'CONNELL'S TWO CONSTITUTIONAL AGITATIONS FOR A REPEAL OF THE UNION, 1830 AND 1842-4

"there are some others who say that the great misfortune of Ireland is in the existence of the noxious race of political agitators. Well, as to that, I may state that the most distinguished political agitators that have appeared during the last hundred years in Ireland are Grattan and O'Connell, and I should say that he must either be a very stupid or a very base Irishman who would wish to erase the achievements of Grattan and O'Connell from the annals of his country."—JOHN BRIGHT, Dublin, October 30, 1866.

"All the sympathies of all continental politicians are with the Irish. We are regarded as the oppressors, and the Irish as the oppressed. An insurrection in Ireland would have the good wishes of a great majority of the people of Europe. And, sir, it is natural that it should be so."—THOMAS BABINGTON MACAULAY, February 13, 1844.

ALREADY, in 1810, had a cry arisen for the repeal of the Union. Ten years of married life had sufficed to nauseate the weaker partner. For within such a period what vice there is in a man is generally disclosed, what virtue there may be is manifested. Within such a period of ten years the faithless spouse has time to prove his inconstancy, the faithful one his fidelity: the former his harshness and indifference, the other his kindness and affection. A man cannot hedge about his character with mere profession: the truth will out. You know him by his deeds, by his manner of living, and his associates. The rest is all dress: a coat and trousers into which he thrusts himself, to last till they are worn out and rejected for a newer or more fashionable suit. For ten long years Ireland had tried to lie with her partner in the same bed, but without success, for the larger and stronger bedfellow filled the whole of it, and turned out his feeble mate on to the floor. Was it remarkable that she should weep and tear her hair, and demand a separation from this unnatural husband? The wonder was she did not smother him in the night, or, seeking an illicit amour, call in the aid of some stalwart foreign lover to help her in her distress. For the Union was a farce, the distrust mutual, the dislike reciprocal. The rulers of Ireland despised her because of her want of guineas, and disliked her because of their inability to govern her; and Ireland looked askance at her rulers like a man once cheated eyes his deceiver, fearful lest he should once

more fall a victim, and remembering also that the guardians of the law had actually been accomplices in the fraud. In fact, by 1810, the relations between the two countries had become well-nigh insufferable. A meeting had been held that year on September 18 at the Royal Exchange in Dublin in which Catholics and Protestants took part, and where O'Connell delivered an impassioned speech urging his countrymen to toil without ceasing for their charter of national independence. For there was—none could doubt it—grave discontent in Ireland, weeping and gnashing of teeth in many a hovel, all the burdens of great poverty without its dignity, all the oppressiveness of masterful supervision without the guarantee of fair play.¹

In 1830, O'Connell, having abandoned his seat in Clare and won a brilliant victory over the Beresford interest at Waterford, proceeded, in view of the suppression of the old Catholic Association, to form a new one for the agitation of Repeal, called "The Society of the Friends of Ireland of all Religious Persuasions." The meeting of this Association was soon prohibited, whereupon in October 1830 he summoned his immediate followers in Dublin to draw up the constitution of "The Anti-Union Association," and their advertisement was published in the evening papers. Sir Henry Hardinge, the Chief Secretary, proclaimed the proposed Association, and O'Connell retorted in a speech, the result of which was that Hardinge sent his friend, George d'Aguilar, to O'Connell with a challenge to a duel. But O'Connell refused the challenge. Meanwhile he had established weekly "Repeal Breakfasts" at Holmes' Hotel, at which violent anti-Union speeches were made. The Tory Government were now defeated on a motion by Sir Henry Parnell for the revision of the Civil List, and a Whig Government under Lord Grey was formed. Anglesey, who had left Ireland in 1828, was again appointed Lord-Lieutenant, and Edward Stanley, who afterwards became the celebrated Lord Derby, was made Chief Secretary. O'Connell seems now to have been asked whether he would accept a judgeship and to have rejected the offer.

In 1829 "The O'Connell Tribute" was inaugurated by Patrick Vincent FitzPatrick, the son of the Catholic bookseller. The tribute, as in the case of the "rent" of the Catholic Association, was mainly collected at the chapel doors after mass on Sundays. In the first year after emancipation £50,000 were contributed, and in five years, from 1829 to 1834, no less than £91,000 were subscribed. On the average it amounted to £13,000 a year. O'Connell was often attacked by his enemies

¹ Appendix XXXIX, quotations from J. P. Curran, Edward Wakefield, Mr. Justice Day, etc.

on the score of the tribute, but, as Charles Greville, in his *Memoirs*, says—"His dependence on his country's bounty in the rent that was levied for so many years was alike honourable to the contributors and the recipient." In the first week of January 1831 a "Breakfast Meeting"—ostensibly for the benefit of the Dublin Orphan Asylum—was held at Holmes' Hotel to consider a circular issued by Stanley, and addressed to the Irish magistrates, directing them, while they respected the constitutional principle of the right of petition, to discountenance and put down as illegal all meetings whose object, in their opinion, was to accomplish changes in the law by force and intimidation. O'Connell presided, and on his motion it was resolved to establish "a general Association for Ireland to prevent illegal meetings, and protect the exercise of the sacred right of petitioning." This Association was proclaimed next day. O'Connell then proposed that he himself should be constituted "The Repeal Association," as an individual could not be dispersed by proclamation. To assist him, he appointed a Council of Thirty-one which he styled "a body of persons in the habit of meeting weekly at breakfast at a place called Holmes' Hotel." But this body was also proclaimed. "The Irish Society for Legal and Legislative Relief" followed. This too was suppressed. It immediately reappeared as "The Anti-Union Association," and again the same result followed. Next day O'Connell and his followers styled themselves "An Association of Irish Volunteers for the Repeal of the Union." This was likewise suppressed, and the following day it reappeared as "An Association of Subscribers to the Parliamentary Intelligence Office." But the new Association experienced the same fate; so O'Connell called it "A party meeting for dinner at Hayes' Tavern." Then a comprehensive proclamation was issued on January 13, 1831, prohibiting the meeting of any association, body, society, or party calling itself any name whatsoever; but over 300 friends met O'Connell at Hayes' that night at dinner, and next morning he and his Council of Thirty-one assembled at the same tavern to breakfast, where they were dispersed by two police magistrates. On January 19, 1831, O'Connell was arrested for sedition at his residence in Merrion Square at ten o'clock in the morning, and proceedings were commenced against him for inciting to riot. The Cabinet, however, unknown to the Executive, wished the prosecution to drop, as they wanted O'Connell's aid in the Reform Bill. On March 9 he made a speech in its favour. On April 20 he was to have appeared for judgment, but he could not be spared, and the Attorney-General agreed to a further postponement of the sentence to May 9. In April, Parliament was dissolved owing to the defeat of the Reform Bill in Committee, and the statute under which the

proclamation was instituted expired with the Parliament. So O'Connell escaped. Overtures were now made to him by some members of the Government through various channels to accept office. But Grey refused the proposals to treat with O'Connell which came from the Radical section of the Cabinet.

In December 1832 Parliament was dissolved, and a general election took place on the extended franchise. While in England the electorate was increased from 200,000 to 350,000, Ireland, whose 200,000 voters in 1829 had been reduced to 26,000, had now an electorate of only 30,000. O'Connell had said that Ireland ought to have 173 members on her population basis of eight millions, but had offered to be satisfied with 25 additional ones. However, he only got five more. In the new elections he secured the return of 45 members, out of 105 pledged to Repeal, by the great counties and boroughs in Leinster, Munster, and Connaught. His Parliamentary following included his "Household Brigade," as it was called, that is to say, his three sons, Maurice (Tralee), Morgan (Meath), and John (Youghal), two of his sons-in-law, Christopher FitzSimon (County Dublin) and Charles O'Connell (Kerry); and his brother-in-law, W. F. Finn (Kilkenny). He himself was returned for the city of Dublin with Edward Southwell Ruthven, and with this accession of strength he prepared to make a fresh attack upon the "more shameful parts" of the Constitution.

Meanwhile the distress in Ireland was grievous. In 1830 one-fifth of the entire population was said to be out of employment, and in the towns seven families might be sometimes seen crowded into one apartment. This destitution led to the customary Irish outrages, distress inducing crime, and crime aggravating the sufferings of poverty. Tithe-collectors were murdered in some places. In others, they were dragged from their beds and laid in a ditch whilst their ears were cut off. Five of the police were shot dead in a group by a party in ambush. In 1831 there was a fight between the police and the peasants at Castle Pollard, in Westmeath, on the occasion of an attempted rescue of prisoners. On the chief constable being knocked down, the police fired, with the result that nine or ten persons were killed. In June of the same year some cattle which had been impounded for tithe payment were announced for sale at Newtownbarry, in Wexford, and the yeomanry were present on the day to assist the police in case of riot. The expected riot occurred, and the sale soon became a bloody struggle between police, yeomanry, and peasants, and twelve of the Catholic mob were killed. On another occasion about the same time five Catholics were shot dead by the military; and a fortnight later, when a strong body of police, who were escorting a tithe-collector,

were summoned to surrender him to the popular vengeance, and refused to do so, a dozen of the force were slaughtered in a lane, and more left desperately wounded. The captain of police and his little son of ten were among the slain, and the pony which the boy rode was also butchered. The arms of these implacable foes were on this occasion scythes, pitchforks, and bludgeons; and a country lad, who appeared to be about thirteen years of age, went from one to another of the prostrate police, and, finding that five of them still breathed, coolly made an end of them with his scythe. An archdeacon in the neighbourhood of Cashel had hoped to arrange a commutation of tithe with his parishioners; but they refused his terms, and coming up to him in a field in sight of his own house, stoned him then and there until his head was beaten to pieces. If any resident paid the smallest atom of tithe in the most secret manner, his cattle were houghed in the night, his house burnt over his head, and his flock of sheep perhaps driven over a precipice. Witnesses dared not give evidence, nor jurors attend; and all this outrage, misery, and concentrated hate, because the rulers of Ireland persisted in feeding with the substance of the Irish poor a religious establishment which three-quarters of the Irish people regarded as the enemy of their faith. The scythe and torch of the agitators were supplemented by the hand of God. In 1832 an outbreak of cholera occurred in Cork, and ravaging the population with fearful malignity, gave them a foretaste of the horrors of the next decade.

The Crime Bill was read a third time on March 29, 1833, by 345 to 86, and on April 2 it became law. Not long afterwards O'Connell attacked the Government with a motion for the appointment of a Select Committee to inquire into the conduct of Mr. Baron Smith, who had given offence to himself and his followers by his denunciation of their political attitude in a charge to the grand jury of Dublin. The Government had originally intended to oppose the motion, but O'Connell altered it slightly at the last moment, and having decided to accept it in its amended form, they allowed it to be carried by a majority of 93. Sir James Graham, First Lord of the Admiralty, who had opposed it, tendered his resignation, but it was not accepted. A few days later O'Connell's motion was rescinded at the instance of Sir Edward Knatchbull,¹ but as the original motion had been carried, the stigma put upon the Government by O'Connell was not removed. On Tuesday, April 22, 1834, O'Connell moved, as an amendment to the Address, for a Select Committee to inquire and report on the means by which the Union had been carried, on the effects of that measure upon Ireland, and the probable consequences of con-

¹ Appointed Paymaster of the Forces by Peel in 1834.

tinuing the existing state of affairs, and in a speech of five hours made his Repeal début in the House of Commons. Spring Rice thereupon moved an amendment for an address to the Crown affirming the resolve of Parliament to preserve the Union inviolate, and it was carried against O'Connell on the 29th by 523 to 38, or a majority of 485, only one English member, Kennedy, member for Tiverton, voting with him. For thirty-three years, ever since the Union, Parliament had been perpetually investigating every possible branch of the Irish question. Sixty Select Committees and 114 Commissions had been appointed on matters relating to Ireland, and what had they all led to? On the occasion of O'Connell's motion Peel made a remarkable speech in favour of the maintenance of the Union, but there is little doubt that had the laws of expediency ever dictated a third apostasy, a third apostasy would have been seen and Peel placarded by history as a Home Ruler. The Address of the Commons was concurred in by the Lords on Grey's motion, seconded by Brougham, and was presented by both Houses to the King. Repeal had received a knock-down blow.

At this time feeling ran very strongly against O'Connell's agitation, and on November 26, 1835, the *Times* newspaper published some lines on the great Irishman which for vileness of abuse and coarseness of expression can rarely have been equalled even in the pages of the gutter press.¹

About the year 1840 a new movement made its appearance, and joined hands with O'Connell in his agitation for Repeal. In 1829 Ireland had spent £6,000,000 on proof spirits, and there was not a town in the island where men were not to be seen staggering about the streets or huddled, stupefied with whisky, in a gutter near the public-house; whilst there was not a hamlet in the countryside without its hovel of the sot, bare of comfort and crowded with disease. The Surgeon-General for Ireland stated that nearly one-fourth of the deaths of adults in Dublin were caused by spirit-drinking; and a county magistrate of Antrim furnished a list of forty-eight persons who had perished from the same cause within two miles of his house and within his own recollection. There was abundant proof that in certain extensive neighbourhoods not one single dwelling was free from the vice. But in 1840 a great change began to take place in this respect, brought about by the herculean and unselfish efforts of one man.

Father Mathew,² a young Capuchin friar, believing in the efficacy of pure water, pledged thousands of his countrymen to

¹ Appendix XXXIXA, poem on O'Connell published in the *Times*. Appendix XL, the O'Connell-Disraeli incident.

² Appendix XLA, short biographical notice.

abstinence. Long before he had had himself any idea of conducting such a crusade, William Martin, who was afterwards his coadjutor, had made up his mind that the former was the only possible instrument to carry the movement to a successful issue. Among those who were the early and most prominent temperance reformers, before Mathew's crusade began, were the Rev. Nicholas Duncombe, Richard Dowden, and William Martin. The first was a Protestant clergyman, the second a distinguished member of a local Unitarian body, and the third the Quaker who became afterwards known as the "Grandfather of the Temperance cause." But these lacked the genius for the work. On April 10, 1838, a meeting was held in Cove Street, Cork, at Mathew's house, at which a Temperance Society was formed of sixty members. Father Mathew was the first to enrol himself, having been persuaded to adopt the cause by his friends, and approached the table to sign his name with, "Here goes in the name of God!" It was in the confessional that he had laid the foundation of the wonderful confidence reposed in him by the Irish people, and so he began his campaign with an invaluable reputation. In three months from the day that he signed his name the number of abstainers on the roll was 25,000; in five months it was 131,000; and in less than nine months, from April to December of the year 1838, it was 156,000. In January 1839 there were 200,000 enrolled. In four days in Limerick, in 1839, he obtained 150,000 additional disciples. Very soon he had pledged two millions of persons to temperance. So great was the rush of the country people into Limerick to take the pledge, that iron railings were broken down in many places by the multitude, and deaths were caused by trampling and pressure. In fact, Father Mathew was soon obliged to travel himself among his hundreds of thousands of disciples, because their thronging to him in one spot was found dangerous to life and limb. In Waterford in three days 80,000 persons received the pledge at his hands. At Maynooth 35,000 of the people took it, eight professors of the college, and 250 students. In a little while, within a year or two of his appearance on the stage, it was noticed that the Irish character had sensibly changed. The countryside wore a different aspect. The sot's den had blossomed into the snug cottage, and the drunken ferocity or hideous merriment of the reeling villager had become as rare as before they had been common. In 1829 Ireland had spent six millions sterling in proof spirit; now a two-years' consumption for all purposes amounted to little more than one-half of that amount. The Temperance movement and the great Repeal agitation went hand in hand and mutually aided one another. The huge audiences of O'Connell, drilled into sobriety by Mathew, returned to O'Connell to

listen to his exhortations fired by an unquenchable enthusiasm for the national cause. To the Irish peasant the causes of temperance and nationality were equally noble, and in his eyes the welfare of his beloved country was dependent on both.

There was no lack of material for the reformer to work upon, when we consider the state of Ireland in the years 1841-5. The house accommodation of that country was divided by the Census Commissioners of 1841 into four classes, the lowest comprising all mud cabins with only one room. This fourth class consisted of buildings absolutely unfit for the habitation of civilized man; yet it appeared from the report of these gentlemen that in Down, the most favoured county in this respect, 24 per cent. of the population lived in houses of this class, whilst in Kerry the proportion was 66 per cent. According to the calculation of the Commissioners, an average of the whole population being taken, above 43 per cent. of the families in the rural districts, and in the urban districts above 36 per cent., inhabited houses of the fourth class, that is to say, the houses of the labourer and cottier. The Poor Law Commissioners of 1836 gave it as their opinion that the produce per acre of land in Ireland, as compared with that in England, scarcely amounted to one-half in value, and that more than double the number of labourers were employed per acre in the latter country than in the former. The total number of cultivated acres in England was declared by the same Commissioners of that year at 34,254,000, and those of Ireland at 14,603,000; whilst the net produce per acre in England was £4 7s. 6d., as against £2 9s. 3d. in Ireland, although there were 100,000 more men employed in raising the latter than the former. The census of 1841 showed similar results. In 1845 the destitute poor of Ireland amounted to one-third of the whole population. In 1731 there were two million, in 1841 over eight million inhabitants, and this increase of population with no concomitant addition to Ireland's manufactures or trade entailed fearful destitution among the lower classes. The growth of the Irish people had been stimulated by free trade with England in 1779, and by independence in 1782. In 1793 came the Roman Catholic Relief Act, and on its heels an innumerable multitude of forty-shilling freeholders, who dwelt upon little plots of ground and multiplied like vermin, scarcely keeping body and soul together by precarious crops of potatoes, and unconsciously and slowly maturing the great land questions of the next century. These freeholders were created by the landlords purely for the sake of their votes, and, in the event of any friction between themselves and their masters, were evicted without mercy and almost without warn-

ing. In 1829 they were disfranchised and their utility to the landlords destroyed. What indeed could they expect after that? In 1846 it was stated that 150,000 of them had been subjected to eviction processes from 1839 to 1843. One hundred and fifty thousand in four years—what a catalogue of misery this spells! What a multitude of heart-aches and ruined hopes! As a historian has said of this Relief Act of 1793, it was “the ultimate cause of every succeeding calamity in Ireland.” Indirectly this may be true; but the misgovernment of Ireland has not been shown so much in the application of relief, as in its misdirection and delay. For it has usually been given to Ireland, not as the timely and soothing medicine of a benevolent and alert physician, but as the broken rod of an ignorant and cornered foe.¹

The census of 1841 showed that of the whole rural population of Ireland 46 per cent. lived by families in single rooms, and the same Commission reported that seven-tenths of the Irish, and two-thirds of the Irish in Connaught, lived in rooms totally unfit for human habitation. Absenteeism was another great evil, not so much on account of the talent or virtue of which it robbed Ireland, but because of the bad principle which was thereby countenanced, and the wealth which was lost to that country. Smith O’Brien calculated in 1847 that the rents of absentee landlords amounted to four millions, or nearly one-third of the whole rent of Ireland, and another authority placed them as high as six millions. That is to say, probably one-third or more of the rent of Ireland was spent in another country. The state of the Church also was as bad as it could be. There was no attempt even to put a respectable face upon the system. The evil was displayed to the light of day, and stank in the nostrils of every passer-by. Lord R. Tottenham, when he was made Bishop of Killaloe at the time of the Union, had never read prayers, had never preached, and had never baptized, —in short, had never performed any of the offices of his holy calling. But his father, Lord Ely, had six votes, and his nominees had given them for the Union, and the price of the six votes was a bishopric for the son worth £9,000 a year. Stewart, Archbishop of Armagh, left £300,000 behind him, and Porter, another Irish bishop, £200,000; and we can imagine in what good stead this hoarded wealth stood them when these portly divines clamoured at the gates of Paradise. A characteristic anecdote of this time has been handed down for the edification and delectation of posterity. Mrs. Porter had a great passion for gold, and the Bishop, paying more attention to conjugal importunity than the chances of everlasting life, refused

¹ Appendix XLI, quotation from report of Devon Commission, etc.; extract from speech by Richard Cobden.

on that account to receive his rents in paper. On rent-days, therefore, there was always a gentleman in another room ready to accommodate the tenants with gold for a consideration, so that a single bag of gold, travelling in at one door and out at the other, brought a handsome return to the devout prelate.

These were a few of the grievances of Ireland that O'Connell had desired to redress. His Repeal agitation had slept more or less since 1831, but in 1840 it showed signs of awakening to a renewed period of energy. In 1838 O'Connell's friends in the Ministry tried to induce him to accept a post. He was offered and declined the post of Chief Baron of the Court of Exchequer. It was then intimated to him by the Viceroy, Lord Mulgrave (afterwards Marquis of Normanby), that Sir Michael O'Loughlen was willing to become Chief Baron, if O'Connell would agree to succeed him as Master of the Rolls. But O'Connell refused, having, so he said, too many other affairs to attend to. O'Connell's career in the House of Commons soon afterwards terminated for all practical purposes with the break up of his alliance with the Whigs in 1839. Even before the fall of the Melbourne Ministry in 1841 he had set an association on foot, and called it the "Precursor Society," which, he said, was to be the Precursor of Repeal, should the Whigs fail in "their fair trial." And they had failed. Their Municipal Reform Bill, thanks to the opposition of the House of Lords, was a farce, and being now released from his bargain, the Precursor Society melted into the Repeal Association. Peel, a past-master in palinode, had also changed his policy. It had been miraculously revealed by a gust of Irish wind to this weather-cock of politics that it was now impossible to maintain the Protestant ascendancy in Irish affairs, and that the system was an anachronism and effete. Oh, wise Peel! a very Daniel! Who would have thought that so plain a man could have unriddled such a pretty piece of politic? The discovery was none too early, for there was energy abroad, and the great Irish agitator had begun to move.

The inauguration of the new Repeal movement had taken place on April 15, 1840, at the Corn Exchange, Burgh Quay, Dublin. The chair was occupied by John O'Neill, of Fitz William Square, a Protestant merchant. Only fifteen of those present gave in their names as members of the new association, which was called the "National Association of Ireland for full and prompt Justice and Repeal." Thomas Matthew Ray, a young clerk, was appointed secretary. At the opening of 1841 it changed its name to "The Loyal National Repeal Association." It held weekly meetings at the Corn Exchange, and its members were divided into three classes—those paying a life subscription of £10, members paying £1 a year, and associates paying 10s. a year. William Smith O'Brien, the brother of Lord Inchiquin,

was O'Connell's coadjutor, and the "Young Ireland" party now cast in their lot with the latter. Their leader was Thomas Osborne Davis,¹ a young Protestant lawyer of Cork County, and his two principal coadjutors were John Blake Dillon and Charles Gavan Duffy. Their organ was the *Nation*, with Duffy for its editor, and its motto was suggested by an incident which had occurred during the debate upon Municipal Reform in the Parliament at Westminster. Peel had asked what good corporations would do to such a pauper as Ireland, and this question was answered by Stephen Woulfe,² afterwards Chief Baron—"I will tell the right honourable gentleman. They will go far to create and foster public opinion and make it racy of the soil." The reply took root in the memory of Irishmen, and the motto of the *Nation* was to "create and foster public opinion, and to make it racy of the soil," the first number of the paper appearing on October 15, 1842. The *Nation* was a remarkable production. Its object, like that of the United Irishmen, was revolution. It was eloquent, it was tender, it appealed to the reason and the passions of its readers as the occasion required, and the contributors to its columns were men of no ordinary ability. Besides the three above-mentioned individuals, the most conspicuous writers in it were Denis Florence MacCarthy,³ MacNevin, and Clarence Mangan,⁴ the poet; and other contributors to the paper were John Cornelius O'Callaghan, O'Neil Daunt, formerly member for Mallow, and John O'Connell, third son of the Irish tribune. Another enthusiast, who became a member of the party a short while afterwards, was Thomas Francis Meagher,⁵ a young man whose occasional bursts of fiery eloquence were the wonder of his friends and placed him in the select company of the two celebrated contemporary orators, Richard Lalor Sheil and William Plunket.

Meanwhile huge meetings, organized by such men as Seward and Horace Greely, were being held in America to advance the cause of the Repealers. A conference in support of the Repeal movement was held in New York. It lasted for a week, and was attended by representative senators, judges, clergymen, journalists, and merchants. A declaration was adopted at it threatening England with the loss of Canada by American arms, if any attempt were made to repress the agitation in Ireland by force. John Tyler, the President of the United States, also

¹ Thomas Davis died on September 16, 1845.

² Stephen Woulfe (1787-1840), appointed Chief Baron of the Irish Exchequer in 1838 in succession to Henry Joy.

³ Two poems by him, "Darrynane," and "Waiting for the May," included in *The Book of Irish Ballads* which he edited, have a certain merit.

⁴ James Mangan, commonly called James Clarence Mangan (1803-1849).

⁵ Thomas Francis Meagher (1823-1867), drowned near Fort Benton, Montana, U.S.A., while Governor of that territory.

declared himself the decided friend of Repeal, and added, "on this great question I am no half-way man." At the same time Sir Charles Metcalfe, the Governor of Canada, privately warned the Cabinet that any aggression against Ireland would be fatal to the tranquillity, if not the security, of the Dominion. On Tuesday, February 28, 1843, O'Connell moved in the Dublin corporation that a petition be presented to Parliament for Repeal. The opposition to his proposal was led by Isaac Butt, then a rising junior barrister, a Protestant and a Tory, and a professor in Dublin University. O'Connell's motion was finally carried by 41 to 15. O'Connell made no appearance in Parliament in 1843, and in fact never brought Repeal forward in the House after its defeat in 1834, but relied upon agitation in Ireland. In October 1843 "Conciliation Hall" was opened. In June 1843 Lord Eliot introduced in the Lower House a new Arms Bill for Ireland, which the mover pronounced to be substantially the same as what had been in force in that country for the last half-century, to be in fact even milder than the old regulations. By Eliot's mild Bill, which was passed by a large majority, no man was permitted to keep arms of any description whatever without first obtaining a certificate from two householders, rated to the poor at above £20, and producing it before the justices at sessions. If the latter allowed the claim, the arms of the applicants were to be registered and branded by the police. From that moment they could not be removed, sold, or inherited without being registered afresh. Moreover, any conversation respecting those arms as to which a man should not answer truly whatever he might be asked by any policeman subjected the delinquent to penalties. The possession of a pike or spear, or any instrument serving for a pike or spear, was an offence punishable by transportation for seven years. Any magistrate on suspicion could order domiciliary visits by the police; whereupon any man's house might be broken into by day or night, and a search made for concealed arms. Blacksmiths were required to take out licences similar to those for keeping arms, and under the same penalties. Finally, if any weapon should be found in any house, outhouse, or stack-yard, the occupier was to be convicted, unless he could prove that it was there without his knowledge.

On July 4, 1845, Smith O'Brien moved for a Committee to take into consideration the cause of Irish discontent, but his motion was rejected by a large majority. The Irish nation were clearly in a dilemma. When they agitated for the correction of abuses, the rod of coercion was applied to their backs. When they had been forced into the dumb stupor of despair, when they were silent about their grievances, when their chagrin was too deep for words, the country was declared to be at rest,

rocked at last into a sense of its prosperity, and Ministers held their charitable hands. In both cases reform was refused. The sword of the Volunteers, the fear of civil war, had alone wrung reform from her rulers, and was it unnatural that Ireland should be persuaded that to scare them into an act of kindness was the only method of redress? O'Connell now laboured with the untiring strength of a demiurge to kindle and blow into a blaze the national spirit of independence in Ireland. All important business was considered in the general committee before being submitted to the Association, and an organized system of agitation was vigorously carried out under the direction of the master. His principal lieutenants were his son John, O'Neil Daunt, John Gray who conducted the *Freeman's Journal*, Tom Steele, Thomas Matthew Ray, and Richard Barrett, the editor of the *Pilot*. The Repeal Society was, as we have stated, at the same time formed into three divisions—the Volunteers who subscribed or collected £10 a year, the members who contributed £1, and the associates who subscribed a shilling, whilst Repeal Wardens, acting under O'Connell's direction, presided over assigned districts. The Repeal Rent averaged in January 1843 about £150 per week, in February £340 weekly, in March £360, in April £600, in May £2,200, in June £3,000, and for the whole year amounted to £48,000. The "O'Connell Tribute" was also continued, and exceeded £20,000 in 1843. Thus the whole was organized under the eye of the master. The influence which he exercised over the Irish masses was amazing,¹ and his eloquence produced a remarkable effect even upon the most fastidious of judges.²

Charles Dickens narrates how on one occasion, when he was reporting a speech by O'Connell on the Tithe question, the emotions roused within him by those trumpet tones were so overpowering that he laid down his pen, unable to write, and listened spell-bound to the great orator as he hurled his denunciations, or melted into the tenderness of entreaty, sweeping with the hand of a magician the most secret chords of the human passions. Could any greater tribute be paid to any orator? Could any man evoke such feeling and speak not from his heart and inmost conviction? Is it in human nature for a man to be able to set on fire the passions of millions of his

¹ A rustic once commenced a letter to O'Connell—"Awful Sir"!

² Bulwer Lytton, who was no mean judge, and who listened to him with rapture, wrote—

"Then did I know what spells of infinite choice
To rouse or lull, has the sweet human voice:
Then did I seem to seize the sudden clue
To the grand troublous life antique—to view
Under the rock-stand of Demosthenes,
Mutable Athens heave her noisy seas."

fellow-citizens and keep them in a blaze year after year, when his only fuel is a stack of clever falsehood? No. Human nature is not moulded after that fashion. O'Connell was no humbug; but a man with a soul that burned with so white a heat that it sometimes scorched his reason. Truth shone in his eye, and the glowing warmth of patriotism lighted up his countenance, and he fills to-day an ampler space in British history, and is a greater figure on the receding platform of time than many a man who seemed then to tower above him in genius and in virtue. Stanley may some day be forgotten, Lyndhurst is already fast slipping into oblivion, but O'Connell is still with us, not only a name, but a personality that stands out against our little horizon as large as ever.

In Ireland his sway was absolute during his last Repeal agitation. The Irish peasants felt that he was one of them. His rollicking humour and burly frame, the drollery of his illustrations, and the unblushing way in which he blarneyed them to their faces, all contributed to make him the popular hero. But though his power was great, he discountenanced rioting or the semblance even of disaffection, and the whole movement was of the most orderly description.¹ At a Repeal meeting at Mallow, where he used language which afterwards became known as the "Mallow Defiance," half-a-million of people were said to have been present, but the order preserved was exemplary. He urged upon the Irish the necessity of preparation for a crisis, and said to his followers, "1843 is and shall be the Repeal year"; but he promised them more than he could fulfil. At Tara, on the spot where the old kings of Ireland had been elected, he told a huge meeting in a burst of enthusiasm that within a year a Parliament should be sitting in College Green at Dublin. At Roscommon he said—"If I have to go to battle, I shall have the strong and steady teetotalers with me: the teetotal bands will play before them, and animate them in the time of peril; their wives and daughters, thanking God for their sobriety, will be praying for their safety; and there is not an army in the world that I would not fight with you. Yes, teetotalism is the first sure ground on which rests your hope of sweeping away Saxon domination, and giving Ireland to the Irish." As Smith O'Brien said—"The cry for Repeal is not the voice of treason, but the language of despair." Another great meeting of about 400,000 persons took place at the Rath of Mullaghmast, in Kildare County, the scene in 1577

¹ Lecky writes of the great concourses of men who flocked to hear him—

"In no instance did these meetings degenerate into mobs. They were assembled, and they were dispersed, without disorder or tumult; they were disgraced by no drunkenness, by no crime, by no excess. When the Government, in the State trials, applied the most searching scrutiny, they could discover nothing worse than that on one occasion the retiring crowd trampled down the stall of an old woman who sold gingerbread."—*The Leaders of Public Opinion in Ireland.*

of a massacre of a large party of Leinster chiefs by the English of the Pale, who had hospitably invited the former to a banquet, and, having quietly surrounded the place with troops, cut the throat of every single guest. In the presence of this vast assemblage of Irishmen O'Connell, dressed in crimson robes as an alderman of Dublin, was crowned with a green velvet cap with gold edging modelled after the ancient Milesian Crown,¹ and once more assured his fellow countrymen that the hated Union would almost immediately be repealed. But he knew that although he might overcome the opposition of the Protestants of Ireland, he could not conquer those of England. So he determined to wait for a more favourable opportunity, and throwing away the chance of his life of forcing Repeal by a great constitutional rising of the whole nation, lost the game. A huge concourse announced to take place on October 8, 1843, at Clontarf² was prohibited by the Government, and O'Connell, having wavered for a moment, then gave way. He cancelled the meeting, and so great was his authority, that in spite of the acute disappointment of the Irish, who had founded their hopes upon the occasion, he was instantly obeyed. Thomas Reynolds, one of his followers, said—"Ireland, that eight centuries ago was won at Clontarf, has now been irretrievably lost there."

O'Connell had submitted, but he was dangerous; so on Saturday, October 11, 1843, the Government struck its premeditated blow. O'Connell, his son John (the member for Kilkenny), Thomas Matthew Ray, who was Secretary of the Repeal Association, Tom Steele (the Head Pacificator), Father Tyrell of Lusk, County Dublin, Father Tierney of Clontibret, County Monaghan, and the three editors of the three Repeal journals—Charles Gavan Duffy of the *Nation*, Dr. John Gray of the *Freeman's Journal*, and Richard Barrett of the *Pilot*, were arrested on a charge of conspiracy to obtain by unlawful methods a change in the Constitution and Government of the country, and to excite disaffection in the army. Smith O'Brien was intrusted with the leadership of the Repeal Association during O'Connell's confinement, and was supported by the followers of the latter and by various members of the Young Ireland party—Davis, Dillon, M'Nevin, Barry, Richard O'Gorman, and Michael Doheny. On the Crown side were the Attorney-General, T. B. C. Smith (afterwards Master of the Rolls); the Solicitor-General, Richard Wilson Greene, subsequently a Baron of the Exchequer; Abraham Brewster and Joseph Napier, both of whom became Lord Chancellors of Ireland, and several others. One counsel and an attorney were assigned to each of the traversers, who were

¹ Roderick was the last monarch of Celtic Ireland.

² On the north side of the Bay of Dublin, where the national hero, Brian Boromhe, beat the Danish invaders, Sitric and Sigurd, dying himself in the moment of victory.

popularly known as the "Repeal Martyrs." Among the counsel were Richard Lalor Sheil; David Richard Pigot, who became subsequently Chief Baron; James Henry Monahan, afterwards Chief Justice of the Common Pleas; James Whiteside, afterwards Chief Justice of the Queen's Bench in Ireland; Thomas O'Hagan, subsequently the first Catholic Lord Chancellor of Ireland since the Revolution; and Sir Colman O'Loughlen, subsequently Judge Advocate-General. The judges were Chief Justice Pennefather, a violent Tory; Mr. Justice Perrin, a Whig; Mr. Justice Crampton, a Tory; and Mr. Justice Burton, a moderate Tory. The State trials commenced on November 2, 1843, and after the usual specious pretensions of equity preliminary to a deliberate perversion of justice, O'Connell was convicted by a partial and unscrupulous Court. The sentence upon him was imprisonment for twelve months, a fine of £2,000, and security in £10,000—his own and another's—for his good behaviour for seven years. The other traversers—except Father Tierney, in whose case a *nolle prosequi* had been entered—were sentenced to nine months' imprisonment, £50 fines, and securities of £2,000. Richmond Penitentiary was selected as their prison, and they were so well looked after by their friends there, that their sojourn in it became known as "The Richmond Picnic."

The Recorder of Dublin, an honourable judge, had made up the Juror's Book in the ordinary way; but no less than sixty names were left out of the list afterwards, and over twenty of these, as it was proved, were Roman Catholics.¹ This single fact made the trial grossly unjust, and afforded an example of the methods employed in dealing with an Irish foe.² The rulers of Ireland knew they could not get Justice to declare in their favour, and so they perverted her; not subtly, nor plausibly, nor under the rose, nor in such a manner that an ordinary untrained intelligence would be caught in the meshes of its own ignorance were it to attempt to unravel the truth, but noisily and roughly, like some unpractised violator caught in the act of clumsily wrenching open the lid of a church box. Such gross and naked imposture could not be reckoned under the head of ordinary swindling. No one could be for an instant deceived by this self-evident trick. The only result would be, not social ostracism, which even the judges might have shrunk from, but merely astonishment and choler at the insolent hardihood of such dishonesty.³

¹ Appendix XLIA, quotation from John Ruskin.

² It was in reference to this piece of sharp practice that R. L. Sheil said in an address to Peel—

"Does not your own heart inform you that history, in whose tribunal juries are not packed, history, the recorder whose lists are not lost—stern, inflexible, impartial history, upon this series of calamitous proceedings, will pronounce her condemnation?"

³ Appendix XLIB, extract from speech by T. B. Macaulay.

On the pronouncement of the verdict O'Connell appealed, and during the period of preparation between the appeal and its hearing issued exhortations and addresses from prison conjuring the infuriated people of Ireland to hold their hands, to keep the peace, to show what stuff they were made of, and to patiently await the final judgment. As usual he was implicitly obeyed, and the country was never more tranquil.¹ The Repeal rent, however, which in the fourteen weeks before the trial had amounted to £6,679, almost quadrupled in the fourteen weeks that followed it, and leapt to £25,712. The appeal was finally heard in the House of Lords in September 1844. Sir Thomas Wilde led for the appellants, and Sir William Follett, the Attorney-General, for the Crown. The writ of error assigned error in the proceedings before the Court of Queen's Bench on no less than thirty-four grounds. The offence was not legally charged, some of the counts in the indictment being so framed as to disclose no offence; the jury were unlawfully chosen from a spurious list; the verdict was not legal, as there were findings upon more offences than were charged in the indictment or pleaded to by the defendants; and the judgment was unlawful, as it ordered the detention in prison of each defendant until all had paid their fines and provided their securities. The peers were persuaded by Lord Wharncliffe to leave the trial of appeal in accordance with precedent to the law lords. Lord Denman, alluding to the challenge of the array, declared that if such practices as had prevailed in the present instance should continue, trial by jury in Ireland would become "a mockery, a delusion and a snare." After much learned argument the previous judgment was reversed, not, however, from a desire to preserve in their natural purity the silver fountains of justice, but from exclusively personal motives, and the irresistible impulse to gain a party advantage. Lyndhurst and Brougham declared against O'Connell; whilst Cottenham² (ex-Whig Chancellor), Campbell³ (ex-Whig Chancellor of Ireland), and Thomas Denman, the Lord Chief Justice of the Queen's Bench, declared in his favour. It was stated afterwards that the defence of the prisoners had cost the Repeal treasury £50,000, which is not difficult to believe, for justice was sometimes very expensive in Ireland. The reversal of the sentence was followed, on September 7, 1844, by O'Connell's release.

¹ During his imprisonment O'Connell is said to have unsuccessfully wooed Miss Rose McDonnell, the daughter of a rich Belfast merchant and a Protestant. She survived her rejected lover fifty-five years, and died a spinster in Dublin in November 1902.

² Charles Christopher Pepys, first Earl of Cottenham (1781-1851). Appointed Lord Chancellor in 1836.

³ John Campbell, first Baron Campbell (1779-1861). Appointed Lord Chancellor of Ireland in Lord Palmerston's Ministry in 1859.

Not long afterwards the Eighty-two Club was founded, with O'Connell as president. Its idea was to include Nationalists of every rank in life, and especially those who held aloof from the Repeal Association; but it purposed more than it could fulfil, for the very fact of its embracing all sorts and conditions of men scared away those who might have been prepared to adopt its principles.

On the 13th of February, 1844, Russell had moved for a Committee of the whole House to take into consideration the state of Ireland. If asked what remedies he would propose, he said he had no hesitation in naming them. He would give the people of the sister kingdom the full benefit of an impartial and unsectarian administration of the laws, equal eligibility to office and distinction, and the same or equal Parliamentary and corporate rights. He would place the Established Church, the Catholic and the Presbyterian, on the same footing; and if this could not be immediately accomplished, he would at once begin to make advances towards that object. After a discussion of several nights, the motion was rejected by 324 to 225. During the debate upon it Macaulay alluded to the trickery practised at O'Connell's trial, and touched upon various aspects of the unhappy Irish people.¹

Disraeli laid bare the kernel of the whole matter in the House of Commons on February 16 of the same year.

"I want to see a public man come forward and say what the Irish question is. One says it is a physical question; another a spiritual. Now it is the absence of the aristocracy; now the absence of railways. It is the Pope one day and potatoes the next. . . . A dense population in extreme distress inhabit an island where there is an Established Church which is not their Church; and a territorial aristocracy, the richest of whom live in a distant capital. Thus they have a starving population, an absentee aristocracy, an alien Church, and in addition the weakest Executive in the world. Well, what then would honourable gentlemen say if they read of a country in that position? They would say at once "the remedy is revolution." But the Irish could not have a revolution, and why? Because Ireland is connected with another and a more powerful country. Then what is the consequence? The connection with England became the cause of the present state of Ireland. If the connection with England prevented a revolution, and a revolution was the only remedy, England logically is in the odious position of being the cause of all the misery of Ireland. What, then, is the duty of an English Minister? To effect by his policy all those changes which a revolution would do by force. That is the Irish question in its integrity."

The acquittal of O'Connell marked the beginning of the decrease of the power of Irish agitation, and consequently of

¹ Appendix XLII, extract from speech by T. B. Macaulay.

his own influence. He seems to have been inclining towards Federalism. In a letter to the Repeal Association he said—

“For my part I will own that since I came to contemplate the specific differences, such as they are between simple Repeal and Federation, I do not at present feel a preference for the Federation plan, as tending more to the utility of Ireland and the maintenance of the connection with England than the proposal of simple Repeal. But I must either deliberately propose or deliberately adopt from some other person a plan of Federation Union before I bind myself to the opinion I now entertain.”

On account of perhaps this and other reasons a breach was gradually widening between O'Connell and the “Young Ireland” party. The latter were aiming at the creation of a really united Ireland, and were incensed with O'Connell for having put his trust only in Catholic Ireland in the Repeal movement, thus making more manifest to all the world the divergences of Irish opinion. They were also in favour of revolution, separation, and civil war in fact, and were impatient with O'Connell for his constitutional methods and his avoidance of any incitement to disorder. The most prominent advocate of this new policy was John Mitchell.¹

Thus there were now three separate Repeal parties: the original Repealers, headed by O'Connell, who were opposed to any form of revolutionary agitation or physical force; the moderate section of the Young Irelanders, among whom Smith O'Brien was prominent, who desired to carry Repeal by constitutional methods if possible, but who were prepared, if necessary, to obtain it by force, if all other efforts failed; and the new extremists, who believed that the only way to reform lay through revolution and civil war. Smith O'Brien was strongly opposed to Mitchell's insurrectionary doctrines, and the latter withdrew from his connection with the *Nation* and started a newspaper of his own, called the *United Irishman*; whilst O'Brien finally severed himself from O'Connell and the Repeal Association in 1846.

The Coercion Bill of 1846 authorized the Viceroy to proclaim any district in Ireland, and to grant any compensation he thought proper to a person criminally injured, or to the relations of a person murdered, the amount to be levied by distress on the residents of the district in which the crime was committed, and every man found out of doors between sunset and sunrise in any proclaimed district was liable to fourteen years' transportation or

¹ Appendix XLIIA, extract from speech by T. F. Meagher.

three years' imprisonment. The division on the second reading in the House of Commons took place on June 25, 1846, and the Ministry was defeated by seventy-three—the first time Parliament had ever rejected a Coercion Bill for Ireland. Smith O'Brien, as a protest against the Bill, refused to act on a Select Committee on which he had been appointed in the session of 1846, and was committed to a room in the lower storeys of the Houses of Parliament, where he was confined for three weeks. O'Connell had refrained from supporting O'Brien for fear of bringing the Repeal Association into conflict with the House, and O'Brien, taking umbrage at what he looked upon as shabby conduct, and disliking O'Connell's timid tactics, took sides for the first time and was regarded as the leader of the *Nation* party. With his withdrawal, the Association for all practical purposes came to an end. As has been already observed, O'Connell's acquittal in 1844 was practically coterminous with the death of his political influence. He had raised Ireland to the highest pitch of enthusiasm, and had then quietly given up the game. He felt the weight of responsibility that hung upon his great power, and, uncertain of the result, was unwilling to prejudice the cause of his country. On February 8, 1847, he made his last appearance in the House of Commons, and his last speech was on the subject of the famine. He lived till the 15th of May, 1847. On that date he died in Genoa, and the heart that had hoped much, that had swelled with victory, and had then been broken with disappointment, was carried not to Ireland, but to Rome.¹

This was the veritable end of Daniel O'Connell, Irish agitator: a valiant, resolute, earnest fighter, and during the latter years, we believe, a sad, resigned, philosophical man. A man who held an ideal like a lamp before him to light the way; who carried the fire of an unquenchable enthusiasm in his breast; and who was able to persuade three millions of fellow-souls that he bore the cross of obloquy and disgrace for their infinite good, and toiled unceasingly, unweariedly, for their ultimate liberty, and because of their infirmity. A man with a multitude of faults, more remarkable even than his virtues to the little men who could not see above his shoes; but at bottom a

¹ The heart was separated from the body and placed in a silver urn for conveyance to Rome. The body was embalmed, placed in a coffin, and removed to the Church *Della Vigne*, where the obsequies were celebrated, and where it remained while Father Miley, Daniel O'Connell, and Duggan were bearing the heart to Rome. The urn containing the heart was deposited on May 31 in the Church of St. Agatha, Irish College. Over it has been placed a mural monument representing O'Connell at the Bar of the House of Commons refusing the old anti-Catholic oath. An English inscription on it states it was "erected by Charles Bianconi, the faithful friend of the immortal Liberator and of Ireland, the land of his adoption." The funeral took place on Thursday, August 5, 1846, in Glasnevin, Dublin.

genuine embodiment of human energy, fashioned in no ordinary mould, and indifferent to the world's regard, as long as there was work to be done and a nation to be liberated. Like impetuous, erring, large-hearted Mirabeau, a tribune of the people and beloved by them; who at a different season and in other circumstances might have changed the course of history. What a piece of irony, therefore, my masters, to have been scoffed at, reviled, hated, shunned, almost spat upon by men who were not worthy to tie his boot-strings; whose delight it was to insult him whose ideals they were too mean to appreciate and whose aspirations their own creeping intelligence was constitutionally unable to understand. They, and such as they, were the scum of a civilization highly polished upon the outside; a class of men upon whom an undigested education, an ample wardrobe, fine feeding, and inoffensive parlour manners had superinduced a plaster of pseudo-respectability: who were, by reason of their moral servitude and a certain sartorial consideration, not only tolerated at a distance, but marvellously permitted to join in the councils of the nation and ignorantly to prescribe the medicine of the State; but who, notwithstanding, were incurably useless, and for the purpose of any stern, honourable work radically rotten and unsound, and an offence in the eyes of God and man. This was the type of men whom O'Connell was doomed to combat and endure. He carried Catholic Emancipation in their teeth, and they hated him for it. He wiped from the Constitution one of the blotches of its distemper, and they never forgave him, ridiculously betraying their ungovernable spleen; and then the old lion died, and it was long before the jackals ceased howling round the body.

O'Connell is, indeed, the most striking figure by far in Irish history. He stands like a giant elm tree outlined upon the horizon. Had his life's work been performed in an age anterior to Shakespeare's he might have been immortalized in "eternal lines." As it is his name will only perish with the annals of his countrymen. Like all great men he was made up of conflicting passions and was a strange admixture of the noble and ignoble. He was deeply religious. The following "Rules of Life" were found after his death among his other papers¹—

- "1. To avoid any wilful occasion of temptation.
2. To appeal to God, and to invoke the Blessed Virgin and the Saints in all real temptation.
3. To recite the Acts of Faith, Hope, and Charity every day.
4. To repeat, as often as may be, a shorter form.

¹ See Michael Macdonagh's *Life of Daniel O'Connell*.

5. To recite daily at least, and as often as may be, a fervent Act of Contrition.
6. To begin every day with an unlimited offering of myself to my crucified Redeemer, and to conjure Him, by all His infinite merits and divine charity, to take me under His direction and control in all things.
7. To meditate for at least half-an-hour every day if possible—longer if God pleases.
8. 'We fly to Thy patronage,' and St. Bernard's prayer to the Virgin, as often as may be convenient—daily.
9. To pray daily to God and the Saints for a happy death.
10. To avoid carefully small faults and venial sins even in the smallest.
11. To aim at pleasing God in all my daily actions, and to be influenced by the love of God in all, rather than by hope or fear."

He was also a faithful and devoted husband, and his letters to his wife, unelaborated, and composed as they were during the intervals of excessive and continuous labour, are among the most tender ever written by a man to a woman.¹ He had a frame that was herculean, a constitution that was impervious to fatigue, an energy that seemed inexhaustible, a courage that welcomed obstacles, and a perseverance that was never wearied by disappointment. His voice, as far as we can judge by the reports of those who heard him, has never been equalled by any orator for its power of penetration to the furthest limits of a vast assemblage of people in the open air. He could play upon the emotions of his Irish audiences as a master of his art might touch the strings of a guitar. He could move them to tears, excite them to laughter, or rouse them to fury with equal facility and almost in the same breath. Lawyer as he was, he was anxious that his agitation for Ireland's freedom should be constitutional; but as Irish public opinion, constitutionally expressed, was stifled as soon as it grew too importunate for the taste of those in power, the only instrument for gaining what the people of Ireland demanded was the instrument of force, which lay at his feet, but outside the armoury of the Constitution, and he refused to pick it up. Thus he failed in his last endeavour for Irish independence through having lost his opportunity. Although a mighty man, he was not therefore one of the world's greatest. He was not of the Cromwellian type. He flinched from the last extremity, and lacked that faith in his own destiny which is the characteristic of your

¹ Appendix XLII B, letter to his wife.

Cæsars, and which, when called upon, risks everything upon one cast of the die. There are few indeed, who, having risen to be leaders of a people, dare to do so. Cæsar would have dared, and Cromwell, Napoleon also; but although O'Connell stands lower than this race of giants he must be estimated at his full value. He was one of the greatest demagogues the world has ever seen.¹

¹ On February 1, 1843, O'Connell published his only book, entitled *Memoir of Ireland, Native and Saxon*. The *Times* denounced it as the product of "drivelling, intellectual imbecility with the most diabolical wickedness."

CHAPTER IX

THE ENCUMBERED ESTATES ACT, 1849

"It is an axiom in politics that the great majority of people never rise into insurrection, or become rebels, without sufficient reason; the disaffected few possess not the power to increase political hatred to such a degree as to cause a general movement in opposition to the government; this effect can only be produced by a government itself, and this circumstance is the best apology for the people, if not their justification. We natives of England ought to be very circumspect in our condemnation of the principle of resistance to oppression, for of all nations upon earth we have most benefited by the exercise of such right.

"The reader will discover, throughout the preceding pages (on Ireland) such various gradations of misery as he could not have supposed possible to exist, even amongst the most barbarous nations. Man is exhibited to his view as oppressed and insulted; he will perceive the hand of tyranny pressing upon him heavily and unsparingly, and find an accumulation of human beings, without any other use than for the accumulation of human wretchedness. He will find him hunted from the vale to the mountain top, to shelter in the rude caverns and rocks, from his brother Christian, the politically orthodox believer in the humble Author of their common faith. Yet amongst all the evils he will still recognize the genius of the people, like a bright star in a tempestuous and gloomy horizon. A nation never commits *felo de se*. A whole people cannot causelessly be compelled to brave the mouth of the cannon, or rush upon the bayonet against their rulers; and when such events do take place, and when the voice of complaint does arise from a whole people, let their governors attend to the awful warning, and remember that it will not be necessary to seek a heavenly-gifted interpreter to expound this Handwriting upon the Wall."—EDWARD WAKEFIELD in 1814.

PROLOGUE TO CHAPTER IX

AN ungenerous tone has, even in the recollection of many persons still living, been from time to time adopted towards John Bull in respect of his methods of governing the Irish people. No man can, and perhaps few wise men, if they could, would wish to be absolutely perfect. No man can do better than his best, or use other talents than those with which it has pleased his Creator to endow him, and it must not be forgotten amid all the scathing commentaries heaped on John Bull in regard to his treatment of Ireland, that whatever his deficiencies in other ways may be, and God knows there are some, he is a real good fellow at bottom, one of the very best, and immensely fond of cricket and football. We take it that the first consideration of a humane ruler should be to display a healthful, cheery aspect before those whom he may have to govern, so that they may derive some substantial comfort in their own less fortunate position by the appearance of enormous contentment elsewhere. This is only human nature, for a beggar is reckoned to feel a pleasant tickling sensation when a smart

carriage and pair rolls by. It is also said that starving sailors adrift upon an alien sea have gloated over the names of dishes on a choice bill of fare, and that the perusal of so much exquisite luxury deadens their pain and almost tempts them to believe that the feast is spread before them and that they are the guests who are bidden to the banquet. Other examples might be given to illustrate this law of nature, which is very gratifying to reflect upon seeing what loathsome poverty and misery there are abroad at the present day, and how the rich are getting richer and the poor poorer. Now it cannot be denied except by an unusually contumacious reasoner that the rulers of Ireland have carried out this system of consolation towards their ragged dependency as consistently as lay in their power. Vicarious indulgence has been the kernel of their policy. John Bull, with his fine round belly and ruddy countenance, has been a godsend to the Irish people, for what greater solace can there be for a poor, hungry, Irish peasant than this beaming beacon of success? It freshens him, it makes his mouth water, it is like the dew of heaven to him; it increases his faith in the milk of human kindness to see his dear rulers delight themselves in fatness when starvation stares him in the face. He is almost inclined to forget his misery when the hearty voice of honest John Bull shouts in his ear. Will any one, who has a little prudence, deny that this is very considerate on the part of the rulers of Ireland? There are many men, well-fed and foul livers, who think only of their own appetites. There are many fewer, equally round and foul, who commiserate their less fortunate brethren but have not the leisure to help them in distress; but what shall we say of John Bull, with his broad, shining face, who lives like these, not for his own enjoyment, however, not for his own gross pleasure, but out of the goodness of his heart for the sake of others? John Bull is incomparable; there is no one in the least like him. His virtues are quite different from other men's, and this is what makes him the envy and despair of foreigners of taste and learning. John Bull is not destined to oblivion for lack of description. His portrait will be handed down for the admiration of future ages, and he will be recorded in the history of nations as a beautiful example of a Christian gentleman, and it will surely be a sad day for Ireland when he relinquishes that delicate sense of the fitness of things, which is all his own, and no longer holds that the mere aspect of his own prosperity is the best cure for Irish ills.

The history of Ireland during the nineteenth century is a record of the struggle between landlord and tenant; and since the Encumbered Estates Act of 1849 was the foremost legislative

effort to solve the Irish land question during the first fifty years of the period, it forms, from its prominent position at the end of that half-century, a noticeable landmark in the calendar of Irish misrule.¹ The system of land tenure in Ireland was up to comparatively recent times wholly indefensible. The governing idea in the landlord's mind was to make his starving dependents sow, while he reaped ; and when at length the truth was disagreeably brought home to him that the just rights of property were one thing and tyranny another, the shock was so great that he felt, not that justice was finally to be set upon her pedestal, but that robbery and confiscation were being made to usurp the place of law. No greater indictment can be brought against the policy of the rulers of Ireland than in regard to the Irish land question, and the author has loaded the Appendices to his present argument with quotations from many authoritative sources, so that he may be thought not to drag in by the head and shoulders, but to usher in with all the formality of which it is worthy, the disastrous policy pursued by the Ascendancy, and the consequent misery entailed upon the Irish peasantry, the memory of which has not yet died out.

In 1806 Whiteboyism, which had slumbered during the six years following the Union, once more broke out, and continued without intermission until 1824 to damp the courage and perplex the counsels of Irish landlords. The Threshers, who resembled the Whiteboys, rose in open insurrection in 1807 in the western counties and committed the vilest outrages upon person and property. To silence this expostulation of serfdom against tyranny, an Insurrection Act was introduced in the House of Commons on July 9, 1807, by Sir Arthur Wellesley, with a special view to the disturbances in Limerick. It was a renewal, with certain slight modifications, of the Act of 1796, one of the differences being that the power to transport was transferred from the magistrates to quarter sessions, and it authorized the Lord-Lieutenant to suspend trial by jury, should the necessity for such procedure appear to him to be necessary, and rendered persons out of doors between sunset and sunrise liable to transportation. It was repealed in 1810, but re-enacted in 1814, and continued in force for the three following years. An Arms Bill for Ireland, which, unlike the Insurrection Act, was to come into operation universally and at once, and not merely to be contingent upon the proclamation of the Lord-Lieutenant, was also introduced by Wellesley, and passed in 1807, the duration of the Act being limited to two years. It required the registration of arms, and authorized any person on the authority of a magistrate

¹ The author is indebted to B. Barry O'Brien's *Fifty Years of Concessions to Ireland*, and to William O'Connor Morris' *Present Irish Questions and Ireland from '98 to '98*, for various details leading up to this and later land legislation for Ireland.

to search a house for such weapons at any hour of the day or night.¹

In 1810 the Shanavests and Caravats appeared in Kilkenny and Tipperary, and for the next few years these two counties, and those of Waterford, Limerick, Westmeath, and Roscommon, as well as King's County, were almost every week the scene of sanguinary tumults. In 1814 the Carders appeared in various districts, who tore the flesh from the bones of those who refused to obey their orders. The authorities at Dublin found it necessary therefore to apply for a further lease of extraordinary powers, and Peel introduced for the purpose two Coercion Bills into Parliament the same year. The first enabled the Lord-Lieutenant to declare a district disturbed, to appoint a superintending magistrate with a salary of £700 a year and a staff of special constables, and to charge the cost upon Ireland. The second, which he brought forward on July 8, three days after the first Bill had been read a third time, revived the Insurrection Act of 1807, which had been allowed to expire in 1810, and was passed without difficulty, in spite of an unsuccessful attempt to limit it to one year. But crime was not one whit abated. Peasant societies under the names of Whitefeet, Blackfeet, Shavanats, Rockites, Terryalts, and Ribbonmen rendered the life of every man insecure who had done anything to offend them; and in 1815 it was found necessary to place Limerick and parts of three other counties under the Insurrection Act. To mention two incidents out of many during the years 1815 and 1816—In 1815 a dispensary in the County Tipperary was taken by the Government for use as a police barrack. Now the police had not always exhibited that regard for justice which is so indispensable in the guardians of the law, and one night a huge mob of peasants attacked the house, drove the constables out, and burned the hated building to the ground. For this outrage thirteen men were hanged; it being thought that the rope and drop might succeed where so much legislation had proved abortive. Again, in 1816, a tenant had taken a farm at a higher rent than the previous occupier could pay, and the buildings were therefore set on fire and destroyed. Mr. Baker, an energetic magistrate, thereupon set to work to hunt down the incendiaries, and succeeded in arresting six of them, but his magisterial vigour, unappreciated by a starving neighbourhood, soon paid the penalty of death, and he was shot.

In view of these disturbances of Whiteboys and others of their kidney, Sir John Newport,² in the spring of 1816, moved

¹ Appendix XLIII, quotations from R. B. Sheridan, Thomas Newenham, Edward Wakefield, John Gough, and the author of *An Inquiry into the Causes of Popular Discontent in Ireland*, published in 1804.

² Sir John Newport (1756–1843). Appointed Chancellor of the Irish Exchequer in 1806 in the Ministry of All the Talents; resigned in 1807. Appointed Comptroller-general of the Exchequer, 1834.

an address to the Prince Regent to the effect that "the need of keeping a force of 25,000 men in Ireland in time of peace obliges us to consider its state as distressing and dangerous. We have granted repressive powers; we wish deliberate examination of the evils, and of the source whence they originate." Peel very naturally opposed an inquiry so detrimental to his own reputation, and moved an amendment that the Government should lay before the House a statement merely of the disturbances in Ireland and the measures adopted for their suppression, and it was carried by 187 to 104. The next year, in 1817, the Insurrection Act of 1814 was renewed, for it would in the ordinary course have expired in 1817. The Seditious Meetings Act, however, which was passed this year, was expressly made inapplicable to Ireland, and for a very good reason. Political associations of all descriptions came under the Act, and it would therefore have affected the Orange Lodges, where secret oaths were administered. When Sir John Newport moved for its extension to Ireland, Castlereagh assured him that the tranquillity of that country rendered such a step unnecessary, an excuse which was extremely farcical in view of the Insurrection Act, and characteristic of the man, who was borne to his grave amid the savage and exulting shouts of a long-persecuted and at length liberated people. But crime was not diminished a particle. Every corner of the island was a hot-bed for it. The state of the country, of prices, of population, and of rents, was a veritable nursery for the young plant of sedition. The Act of 1793 which had transformed thousands of unfranchised Catholics into voters, and tempted landlords to sub-divide their leased lands, in order to increase their political influence by multiplying the voters on their estates, namely the forty-shilling freeholders, combined with the increased agricultural prosperity consequent upon the high prices created by the great war, had stimulated the growth of the population, which, from being between four and five millions before the Union, had increased to about six and a half millions by 1815. Rents rose in consequence, a fierce competition taking place for the possession of a limited soil, whilst wages, which in accordance with the "cottar system" were generally paid in kind, that is to say in potatoes, simultaneously fell. Then came the peace of 1815. Rents now suddenly subsided. With the decline of prices, wages sank even lower, and as the distracted tenants were unable to pay their way, hundreds of evictions followed as a natural consequence. This treatment was the harsher as tenants had, in many cases, effected improvements on their holdings at their own expense, thus creating a sort of dual ownership or concurrent right in their farms. Agrarian disorder rapidly followed in the train of these grievances. Societies of "Threshers" had been formed to resist the payment

of tithes which were a heavy and growing burden on the farmers since the increase of tillage, and, savagery feeding upon discontent, crime soon trod in the track of eviction. Whiteboyism and Ribbonism also joined hands, and fearful atrocities were committed to vindicate the rights of man. Absentee landlords aggravated the prevailing distress. Callous to the cries of their unhappy tenants, lavishing the rent squeezed from the starving labour of poverty in superfluous luxuries and useless pleasures, they gave the rein to their natures, and their energy spent itself in London and exhausted the patience of the suffering Irish people.

The uncouth and voracious¹ Judge Fletcher said of them in his address to the Wexford Grand Jury in 1814—

“Never during the entire period of my judicial experience (comprising sixteen circuits) have I discovered or observed any serious purpose or settled scheme of assailing His Majesty’s Government, or any conspiracy connected with internal rebels or foreign foes. But various deep-rooted and neglected causes, producing similar results throughout this country, have conspired to create the evils which really and truly do exist. . . . Gentlemen, the moderate pittance which the high rents leave to the poor peasantry the large county assessments nearly take from them. Roads are frequently planned and made, not for the general advantage of the country, but to suit the particular views of a neighbouring landowner, at the public expense. Superadded to these mischiefs are the permanent and occasional absentee landlords residing in another country, not known to their tenantry but by their agents, who extract the uttermost penny of the value of the lands. If a lease happens to fall in they sell the farm by public auction to the highest bidder. No gratitude for past services, no preference of the fair offer, no predilection for the ancient tenantry (be they ever so deserving) ; but if the highest price be not acceded to, the depopulation of an entire tract of country ensues. What, then, is the wretched peasant to do? Chased from the spot where he had first drawn his breath, where he had first seen the light of heaven, incapable of procuring any other means of existence, vexed with those exactions which I have enumerated, and harassed by tithes, can we be surprised that a peasant of unenlightened mind, of uneducated habits, should rush upon the perpetration of crimes, followed by the punishment of the rope and the gibbet? Nothing (as the peasantry imagine) remains for them, thus harassed and thus destitute, but with a strong hand to deter the stranger from intruding upon their farms, and to extort from the weakness and the terrors of their landlords (from whose gratitude or good feelings they have failed to win it) a kind of preference for their ancient

¹ At a certain hour every day he used to become suddenly seized with a ravenous desire for food, as though he had a wolf in his stomach. This sometimes took place in Court, which made it very inconvenient for all parties concerned. He was a rugged, but humane man.

tenantry. . . . But, gentlemen, is there no method of allaying those discontents of the people and preventing them flying in the face of the law? Is there no remedy but Act of Parliament after Act of Parliament in quick succession, framed for coercing and punishing? Is there no corrective but the rope and the gibbet? Yes, gentlemen, the removal of those causes of disturbance which I have mentioned to you will operate as the remedy. I should imagine that the permanent absentees ought to see the policy (if no better motive can influence them) of appropriating liberally some part of those splendid revenues which they draw from this country, which pays no land-tax or poor's-rates, and of which not a shilling is expended in this country. Is it not high time for those permanent absentees to offer some assistance, originating from themselves and out of their own private purses, towards improving and ameliorating the condition of the lower orders of the peasantry upon their great domains, and rendering their lives more comfortable? . . . the permanent absentees ought to know that it is their interest to contribute everything in their power and within the sphere of their extensive interest, towards the improvement of the country, from whence they derive such ample revenue and solid benefits. Instead of doing so, how do many of them act? They often depute their managers upon the Grand Jury of the county. This manager gets jobs done without question or interruption; his roads, and his bridges, and his park walls, all are conceded.

"For my part I am totally at a loss to conclude how these permanent absentees can reconcile it to their interests or feelings to remain silent spectators of such a state of things, and how they can forbear to raise their voices in behalf of their unhappy country, and attempt to open the eyes of our English neighbours, who, generally speaking, know about as much of the Irish as they do of the Hindoos? . . . Does a visitor come to Ireland to compile a book of travels, what is his course? He is handed about from one country gentleman to another, all interested in concealing from him the true state of the country; he passes from squire to squire, each rivalling the other in entertaining their guest, all busy in pouring falsehoods into his ears, touching the disturbed state of the country and the vicious habits of the people. Such is the crusade of information upon which the English traveller sets forward; and he returns to his own country with all his unfortunate prejudices doubled and confirmed, in a kind of moral despair of the welfare of such a wicked race, having made up his mind that nothing ought to be done for this lawless and degraded country."

There was a load of sound sense in Judge Fletcher's address, if only the Wexford Grand Jury understood it. That the Ascendancy should comprehend it would have been too much to expect. The human mind very soon shapes itself to a particular groove. Tell a man that his best friend is a scamp every day for a year, and against his will he will believe you. Tell him that his enemy is a scoundrel, and he will love you. So it was with Ireland. The enemies of the Irish Catholics welcomed the scurrility that flowed in upon the Papists from

every side, and hugged to their breasts the warehousemen of calumny and the vile fabricators of falsehood. Those of more honourable character would fain have believed that there was a little good in Ireland outside the Castle precincts, but they were carried away on the rank stream of lies and forced over to the other side, and convinced as they were against their natural inclinations were bitterer even than the others. Thus it seemed there was no hope for the Irish Catholic. His enemies were implacable; his friends were one by one converted into foes; every man's hand was against him, and like a stag at bay he determined to die hard. But what did it matter to the absentee landlords? They were safe from the gun of the Whiteboy, and, although outrages continued, their own peace of mind remained undisturbed.

A few out of the many of the crimes that took place about this time may be mentioned to show the state of the social atmosphere in Ireland under the Whiteboy and Rockite régime. The population of Ireland exceeded seven millions, and it was stated four years later, in 1825, that a million persons obtained a living by mendicancy and plunder. The agent of a great property declared that it was the custom in Ireland to keep a person on each estate to distrain for rent, who, as a rule, was so constantly and regularly occupied in driving cattle to pound, that he was usually known as a "driver." The average rate of wages in Ireland was estimated at only 4*d.* a day; but an Irishman never worked for hire if he could avoid it, and most of the population were either cottier tenants or forty-shilling freeholders, who maintained their families on the produce of their little plots of ground, which they rented at an exorbitant price. The land which they so hired, on what was known as the conacre system, varied generally from one quarter to half an acre, and the rent was commonly at the rate of ten guineas an acre. There were besides manifold other grievances, some of which have been already mentioned. The pasture land was usually tithe free, but the rector was entitled to one-tenth of the potatoes dug up;—a distinction that was all the more galling, as the grass farmer was nearly always a Protestant and the cottier almost invariably a Roman Catholic.

"Subject to a rent which it was almost impossible to pay; irritated by seeing a tithe of his potatoes seized by a clergyman whose faith he did not share; with no adviser but a priest who was indignant with the Penal Code; and with an indistinct idea that he was entitled to the land of which the Saxon had dispossessed him, the cottier tenant of Ireland brooded over his wrongs and longed for the day of retribution."¹

In 1819, a peasant named Delane and his wife gave evidence

¹ Appendix XLIIIA, quotation from John Stuart Mill.

for the Crown at a Whiteboy trial. The prisoners were convicted and soon afterwards hanged, and the Delanes were forced by public opinion and fear for their skins to fly the country. After an absence of several years, imagining that the temper of a Whiteboy was like the fractious temper of a child, easily irritated and as quickly soothed, they came back; but the Whiteboys had not forgotten, and one night their house was broken into and both of them deliberately killed. Eighteen men were afterwards hanged for this dastardly crime on the evidence of the little daughter of the victims who had witnessed her mother's death and taken note of the faces of her murderers. In 1820 Galway became the scene of numerous outrages, and the following year, Limerick; whilst Munster and portions of Leinster and Connaught were in open insurrection. In 1821 a middleman named Shea, in the County Kilkenny, had evicted his tenants who had declined or been unable to pay their rent, and was boycotted in the neighbourhood in consequence. Driven to extremities he at length brought a gang of labourers from elsewhere to dig his potatoes. But the Whiteboys were determined to spoil the expedient of the hated evictor, and soon afterwards his house was attacked and fired by armed banditti. Twelve persons—Shea, his wife, his seven children, and three maidservants slept in the house, whilst five labourers occupied the adjoining offices. As the flames crept through the building, these wretched people, hunted by the fire from storey to storey, tried in their agony to escape from the house, but they were mercilessly driven back by shots, and the whole seventeen of them were burned to death. The same year some ruffians attacked the house of a Mr. and Mrs. Torrance near Limerick, demanding that arms should be delivered to them; but the Torrances refused, and having bravely and successfully defended the house against their assailants, not long afterwards removed to another part of the country. One Sunday evening in June, Mr. Torrance was out walking with his wife, when he was suddenly attacked by two fellows with sticks and stones. Mrs. Torrance rushed to the rescue, and a terrible struggle ensued, the unfortunate woman being first cruelly beaten, and then stabbed to death, whilst her husband was barely able to crawl away alive. A few months later a Mr. Going, who had been lately in command of the Limerick police, was attacked by a body of armed men and shot dead, and within an hour of the horrid deed bonfires were blazing on all the surrounding hills, and hideous yells of savage exultation rose from village after village. About the same time a farmer of Tipperary, who had offended the Whiteboys, had his cow driven into a bog, where she perished. Upon this he sent his servant to remove the skin from the carcass, and the man, who was absolutely guiltless of

any offence, was wantonly shot in the middle of the day. A clergyman in Cork, not long afterwards, proceeded to let his tithes to his parishioners. An armed party marched into the village, peremptorily inquired of the farmers which of them had taken leases of tithes, and stripped and flogged those who had done so for violating the orders of "General Rock." Another and particularly foul outrage was perpetrated at this time. Honorah Goold, a delicate girl of fifteen, was dragged by some ruffians from her brother's house in the middle of the night, placed across a horse, and carried away to a solitary house, where she was treated by these sons of the devil in a manner to which death would have been infinitely preferable. Twenty days elapsed before the unhappy creature, robbed of her honour, regained the liberty which she no more cared for. This was not the only crime of the sort. The coach from Limerick to Tipperary was stopped in broad daylight by an armed party, who took possession of another young girl, whose sole fault was the possession of a fortune of £200. This time, however, the captors were pursued and forced to drop their prey. Night after night White-boys, or Rockites, as they began to be termed, attacked houses in organized gangs, and seized any arms or gunpowder they could lay their hands on; and their outrages were generally perpetrated with complete impunity, for the police were a negligible quantity, and took good care to make themselves scarce when there was any danger afoot. From Skibbereen to Crookhaven the distance was twenty-four miles, and there were only eight of them. In 1822 a peasant, named Stack, informed the authorities of a murder which had been committed in the County Clare, and the police acting on the information were able to arrest the perpetrator of the deed. But Stack paid the usual penalty, and was himself shot dead the night after the arrest. The rulers of Ireland drew back aghast at these accumulated crimes, but derived a great deal of well-bred comfort from the consciousness that they happily were not like those miserable Irish reprobates, who could not be content with starving but must also sin.

One cause of the terrible state of disturbance in Ireland at this time was, as we have already said, the great fall of prices consequent upon the termination of the Napoleonic war. Leases had been granted to occupiers for the sake of their votes, but the rents which they had been able to pay in 1816 they were totally unable to afford in 1821. The landlords, however, closed their eyes to this fact, and attempted with extraordinary meanness and more astounding folly to extort the last penny from their wretched dependents. Meanwhile the Government, wishing to strengthen their hands in Ireland, suspended the Habeas Corpus Act in 1822, and passed an Insurrection Act. By the provisions

of the latter seven magistrates assembled in special sessions could signify to the Lord-Lieutenant that their county was disturbed. He might then proclaim the county to be in a disturbed state, whereupon every person dwelling in the district was obliged to remain within his own doors between sunset and sunrise. Any justice of the peace could enter any house at night, and declare such of the inmates as were absent to be idle and disorderly persons. All persons administering illegal oaths, demanding arms, having offensive weapons in their possession and refusing to give them up; also all persons, not being travellers, found in a public house, or hawking or dispersing seditious papers, were liable to be considered idle and disorderly. Idle and disorderly persons hawking or dispersing such papers were to be liable to twelve months' imprisonment; whilst idle and disorderly persons committing the other offences were to be liable to transportation for seven years. On the passing of this Act 366 persons were charged at the special Commission in Cork alone, of whom thirty-five were sentenced to death. The taste for coercion was rapidly growing. What ills could not be cured by it? Hunger should be made to smile under its genial influence, and the dull despair of destitution to frolic in its warmth.¹

On May 23, 1823, a Bill was introduced in the House of Commons for the renewal of the Insurrection Act. Ministers excused themselves for this apparent harshness with tears in their eyes, but how else could they repress the incorrigible rascality of an ungrateful country? At the second reading, on June 24, Sir Henry Parnell² moved for a committee of twenty-one members to inquire into the recent disturbances. He recounted how the period since the Union had been stuffed with Coercion Bills and Insurrection Acts. The Insurrection Act of 1796 had been prolonged to 1802. From 1803 to 1805 there had been martial law. The Insurrection Act had been renewed for three years in 1807, again for four years in 1814, and again in 1822. Moreover in many of these years the Habeas Corpus Act had been also suspended. The Arms Act of 1807 and the Peace Preservation Act of 1814 had remained in force since their enactment, and only four years, 1802-3, 1805-6, 1810-11, 1818-19, could be spoken of as having been at all tranquil. But Parnell's motion for a Committee was only supported by thirty-nine votes, and the Insurrection Act was carried by a majority of forty-nine. The next year a Committee was appointed to inquire into the causes of Irish crime; and after sitting for

¹ Appendix XLIV, quotations from Charles Grant and the *Edinburgh Review*.

² Henry Brooke Parnell, first Baron Congleton (1776-1842). Succeeded Charles Watkin Williams-Wynn as Secretary at War in Grey's Administration in 1831. Appointed Treasurer of the Navy and Paymaster-General of the Forces, 1835.

several years laid its report in 1827. Some of the evidence given before the Committee is instructive.¹ Francis Blackburn, afterwards Chief Justice of the Queen's Bench, and then Lord-Chancellor of Ireland, was examined among other persons, and, having described various cases of landlord persecution, mentioned an incident on the estate of Lord Stradbrook—

"The agent, attended by the sheriff, went upon the land, dispossessed a numerous body of occupants; they prostrated the houses, leaving the people to carry away the timber. The number of persons that were thus deprived of their houses on that occasion was large. I am sure that there were about forty families, but I cannot tell you the number of individuals. They were persons of all ages and sexes, and in particular, a woman almost in the extremity of death."²

And these were the landlords who represented the policy of the rulers of Ireland; these the men whom it was of paramount importance to shelter from every rude blast of opinion; whose integrity no man might question, lest he should be deemed a villain. These were the Christians who, *leaving the people to carry away the timber*, were to be mercifully spared the indignity of reproach. How long were they going to ride roughshod over the feelings of their fellow-creatures? Was there anything so intrinsically excellent about these men, that they, and they alone, should be allowed to insult humanity with impunity? Or was their turn coming, when they would be made to feel the rod of justice and the heel of passionate contempt? *Quem deus vult perdere prius dementat.*

Between 1824 and 1829 there was a lull in the Whiteboy agitation; but the condition of Ireland during this period of comparative peace may be gathered from Peel's description of the country in the speech which he delivered on the introduction of the Catholic Relief Bill of 1829. He said—

"A dreadful commotion distracts the public mind of Ireland; a feverish agitation and unnatural excitement prevails, to a degree scarcely credible. Social intercourse is poisoned there in its very springs; family is divided against family, and man against his neighbour; in a word, the bonds of social life are almost dissevered, and the foundations of public justice corrupted. The spirit of discord walks openly abroad, and array of physical force is marshalled in defiance of all law, and to the imminent danger of the public peace."

This was the condition of the country during a period of relative tranquillity, and the only known remedy for it was brute force. Michael Thomas Sadler, a Tory of the Tories, writing in 1829 in his *Ireland, its Evils, and their Remedies*, of

¹ Appendix XLV, questions and answers.

² Appendix XLVI, quotations from Mr. Justice Day and G. Cornewall Lewis.

the proposal to solve the Irish difficulty by thinning Ireland by emigration and monopoly, observed—

“In closing my remarks . . . I would put one or two plain questions. Is a system, which can only be supported by brute force, and is kept up by constant blood-shedding, to be perpetuated for ever? Are we still to garrison a defenceless country in behalf of those whose property was, generally speaking, originally conferred on the special condition of residence, but whose desertion occasions all the evils under which she has groaned for centuries?—property so treated, that it would not be worth a day’s purchase were the proprietors its sole protectors. But they are aware that their absence is balanced by the presence of a body of military and police, which enables them to conduct themselves with as little apprehension as remorse. The possessions of the entire empire would be lost to their owners, were such conduct general; and are these so meritorious a class, that their utmost demands are to be extorted from a distant and suffering country, and themselves protected in the open neglect, or rather audacious outrage, of all those duties, on the due and reciprocal discharge of which the whole frame of the social system is founded? If they persist in this course, let them do so, but let it be at their proper peril! Let them urge their own claims, and defend their own outrages: the British soldier, who is ready to bleed in the battle in which his country’s interest or honour is at stake, is too noble a being, methinks, to be degraded virtually into the exactor of the enormous rents of the absentee, which his desertion often incapacitates the wretched tenants from discharging, or to ‘clear’ his estates of human beings, when it may please him to utter the fiat from afar. I say I would leave them to settle this as they could, only that it would be practically difficult to sever their case from such as have fair claims upon public protection.”

This is what has been so often forgotten. For several hundreds of years the rulers of Ireland had been employing every conceivable method of persuasion to enable the landlord to exploit his property in Ireland regardless of the welfare of those who had to live on it. All the recorded and unrecorded misery, all the legal cruelty, all the rebellion, all the vast treasure poured out, all the bloodshed had been directed to this cardinal object—to keep a set of men upon the soil who exhausted its resources without adding to it a particle of value in return, or caring a tittle either for the men who dug their daily bread from it, or the country of which it formed a part. The rulers of Ireland had paid dearly for their motherly solicitude for this swarm of drones. They had planted them in Ireland, and their parental pride had forbidden them to criticize those for whom two centuries back they had robbed, and murdered, and transported. What use were these fatted calves to any one? They refused to work; they neglected their duties towards the men whose lives and families depended upon their whim; and they

would not, many of them, even live in the country of their adoption. But for this minority, for this thorn that stuck and festered in the side of Ireland, her rulers were prepared to go any lengths. The whole of their Parliamentary business might remain at a standstill ; political parties might tear themselves to pieces ; the greater part of Ireland be convulsed in insurrection and outrage ; their reputation abroad for wise government and Christian charity be dragged in the mire ; their peace of mind embittered and at length destroyed ; and every page of their history stained with the disgrace of their Irish rule, so long as a small minority could be maintained unreformed and undisturbed upon those lands which had been torn from their natural owners to stuff their rapacity, and from which that minority's only ambition was to squeeze as much advantage to themselves with as little danger and trouble as possible. As long as they floated it mattered little who sank.

The Whiteboy agitation again broke out in 1830. Belgium had in that year succeeded in wrenching herself free from Holland, and this triumph of national liberty inspired the discontents of Ireland with hope. Between 1830 and 1835, Whitefeet, Blackfeet, Terryalts, the Lady Clares, the Molly Maguires, and the Rockites swarmed over the country. Some of the rioters were under the orders of Captains "Starlight" and "Moonlight," and carried out their commands with as much regularity as any regiment under strict discipline. Like the English Chartists, the Whiteboys formulated their demands, insisting upon a reduction of rents, undisturbed occupation of their holdings by tenants, and an increase of labourers' wages. As their claims were not conceded, not even favoured by the most casual consideration of the Government, they had recourse to crime. A couple of characteristic incidents, out of an immense number during the five years from 1830 to 1835, will suffice to show the temper of the times. In 1830 a man named Maddox took a farm from which the previous occupier had been evicted. Two years later, when the first rumble of ominous disapproval had spent its force and Maddox was comfortably installed, his house was suddenly attacked by a band of Whiteboys, who had only held their hands until a favourable opportunity presented itself. Two constables, who had been placed in the house to protect him, were killed outright, and he himself, his wife, and two sons seriously wounded. About the same time Mr. Marum, of the County Kilkenny, evicted the tenants on an estate which he had taken on lease. For the next three years he was mercilessly pursued by the Whiteboys ; his cattle was constantly houghed, and his own life rendered an unceasing anxiety. At length, after being harassed by his implacable foes to such an extent that life must have become a burden to him, he was deliberately shot dead in his own yard in the open day, and in

the presence of his family and servants. Is it not inconceivable that year after year the nauseous draught of coercion should have been administered to the gasping Irish patient, whilst food and clothing and the common decencies of existence were denied to him; whilst, ground to powder by a relentless aristocracy, he was often forced to rest his head upon a stone pillow and grate his bones upon the bare ground?¹

Defenderism, as will be remembered, was directed against the Ulster Peep o' Day Boys, and the latter movement had gradually developed into Orangeism, which the Defenders continued to combat. In 1820 Ribbonism in its turn developed out of Defenderism; and between 1835 and 1849 the Ribbon movement became a tenants' protective league. Meanwhile outrages continued to be of almost daily occurrence. In 1835 Lord Lorton evicted nine Catholic tenants on his estate near the village of Ballinamuck in the county of Longford, and put in their place nine Protestant occupiers—Brock, Diamond (1), Alexander Moorhead, Cole, Cathcart, Diamond (2), Rollins, Hugh Moorhead, and William Morrison. One by one they expiated the fault of the noble evictor. Brock was killed in June close to his own house, and almost in the presence of the villagers. Diamond (1) was attacked and terribly beaten, one of his eyes was knocked out, and he was wholly disabled for life. Alexander Moorhead's entire stock of cattle were driven by night into the adjoining county of Leitrim, and there killed, skinned, and flung into bog-holes. Cole was stabbed and beaten almost to death. Cathcart was fired at several times, and finally shot dead, within a stone's throw of his own house. Diamond's (2) cattle were maimed and destroyed; and those belonging to Rollins were killed, skinned, and thrown into bog-holes. Hugh Moorhead was murdered, and William Morrison suffered the same fate. For this terrible example Lord Lorton razed the village of Ballinamuck to the ground, and the wretched inhabitants, many of them entirely innocent, were cast adrift to perish, for all he cared, of hunger and disease. About the same time, Mr. Lundy Foot, a landed proprietor in the County Cork, was murdered in broad daylight, while walking in a field within five hundred yards of his own house. This state of affairs was unfortunately not remedied by a pure administration of justice. Thomas Drummond, the Under-Secretary, wrote to his mother in July 1836—

"Grossly have the local magistrates abused their power, in many, very many instances; but their wings are clipped, and I hope and believe there is some chance of justice being better administered soon, and ultimately of being well administered. The confidence of the people will be regained; though given to

¹ Appendix XLVII, quotations from Sir G. Cornwall Lewis and Poulett Scrope.

the Government, it is still withheld from their local Courts, and no wonder. The Courts are now improving, however, and the new appointments (of stipendiary magistrates) will have a powerful effect."

Various other reforms were being carried out by Drummond which poured oil upon the troubled waters.¹ He sternly suppressed the Orange processions, as also the faction fights at fairs; for the former fed the latent fires of religious persecution still smouldering in the breasts of the "patriots," and the latter² were the fertile source of disgraceful scenes of tumult and even bloodshed.³ In 1835 a great improvement was made in the prosecution of offences at Quarter Sessions. Up to this time it had not been customary to prosecute in these courts on the part of the Crown, except in very special cases directed by the Attorney-General; but in 1835 Sessional Crown solicitors (an imitation of the Scotch system of Procurators-Fiscal) were appointed to conduct the prosecutions in every case. This change of procedure secured the effective prosecution of a large class of cases, chiefly assaults, which before had either been prosecuted by the parties themselves, or not at all. The Crown prosecutions at the Assizes were at the same time largely extended, a policy that had been inaugurated under former Governments. Previously to 1821 the Crown prosecuted only in cases of an insurrectionary character, the worst description of homicides and even murders from private causes, as well as burglaries, robberies, and other offences being left to the prosecution of the injured parties themselves, which in consequence continually failed either from tenuity of means or unskilfulness in conducting their case. This deficiency in the law was now made good.

An important change was also introduced in 1835 in the appointment of juries—those bodies which, according to Burke, are the palladium of civil liberty and the ultimate aim of all contrivances of government. A Jury Act had been passed for Ireland in 1833, by which every man between twenty-one and sixty years of age was qualified to act as a juror, who had (1) Ten pounds a year in lands or rents in fee-simple, fee-tail, or fee-life; (2) Fifteen pounds a year in lands held by lease originally made for a term of not less than twenty-one years; or (3) being a resident merchant, freeman, or householder, having a house in any city, town or borough, of the clear yearly value of twenty pounds. In addition to these, every merchant, freeman,

¹ See J. F. McLennan's *Memoir of Thomas Drummond* for the various reforms mentioned in the next few pages.

² Appendix XLVIA, Major Willcock's evidence, and enumeration of the factions existing in the County of Tipperary.

³ Appendix XLVIB, quotation from G. Cornwall Lewis.

and householder resident in counties of cities and counties of towns, having lands or tenements or personal estate of the value of one hundred pounds was to be qualified to sit upon a jury. Peers, judges, clergymen, barristers, attorneys, and others were exempted from acting as jurors. The Clerk of the Peace under this Act of 1833 was to issue his precept once a year to the high constables and collectors of grand jury cess to return him lists of those persons qualified to be jurors in their respective districts. When these directions had been carried out, the Clerk of the Peace was to lay the several lists before a special session of justices of the county. A special session was to be fixed for each division at the October Quarter Sessions; public notice of it was to be given, and the high constables were to attend it. After the revision of the lists by the justices at this special session, the latter were to have one general list made out and delivered to the Clerk of the Peace, who was in turn to have it copied into a book—"The Juror's Book for the year"—and delivered to the Sheriff. But for many years the right of challenge had been grossly abused. There were two kinds of challenge to jurors—the challenge for cause, and the peremptory challenge. The former, which was employed whenever a clear cause of disqualification could be assigned, had always been permitted to the Crown and to the subject alike, and had constantly been made use of by both. The second system of challenge, which had formerly been employed arbitrarily by the Crown, had been abolished by a statute of Edward I. The Irish subject, however, unlike the Crown, still possessed a power of peremptory challenge, and by an Act of 1829 was permitted to challenge peremptorily not more than twenty jurors, having formerly been able to peremptorily challenge thirty-five. But the Crown had gradually got behind the law in this matter, and, although, as we have seen, forbidden by the statute of Edward I to challenge peremptorily, managed to rid itself of the jurors it disliked in a manner quite as summary as in pre-Edwardian times. It accomplished the trick in the following manner. The Act of Edward I, before alluded to, was wrenched from its meaning, and interpreted to signify that the King was not bound to state his cause of challenge to a juror until the whole panel of jurors was called over, and that the Crown might, on a juror being called, direct him to "stand aside for the present," that is to say, until the whole list was got through. In this way, therefore, if a jury could be made up out of the list without recourse to the persons so set aside, they were *ipso facto* excluded. By this method the Crown virtually reassumed the power of peremptory challenge; and the Act of 1829, mentioned above, whilst re-enacting that of Edward I, declared that the latter should not affect the power of the Courts to exclude

jurors by making them "stand aside for the present" on the petition of the Crown prosecutors. It is superfluous to observe that this privilege was made use of to the full in order to exclude from juries whosoever the Government might happen to dislike, either as being Roman Catholics or persons of "liberal opinions." The abandonment of this vicious system was initiated by Louis Perrin, the Irish Attorney-General, in 1835, and its discontinuance completed by Sir Michael O'Loughlen and his successors in the Attorney-Generalship, and it is hardly necessary to emphasize the excellence of a reform which purified the fountains of justice.¹

Another important innovation was made in 1836 in the law respecting Petty Sessions. A return was ordered to be furnished quarterly, showing the number of Petty Sessions held, how they were attended, and what business was transacted. In this manner the Government were put in possession of a mass of information in regard to the proceedings in all the Petty Sessions in Ireland, and could immediately perceive in what localities they were well attended, and where they failed. These various reforms in the department of law and justice, although they may seem to be inappropriately included in a chapter upon the Irish agrarian difficulty, yet touch the latter very closely. For it was the want of confidence in the pure administration of justice which aggravated agrarian crime; and it was these attempts to supply that want that succeeded during Drummond's stay in Ireland in reducing that country to a state of comparative peace.²

Crime, although greatly diminished under Drummond's administration, could not, however, be entirely suppressed, for it takes one man a long time to put a fire out. In 1837, while Mr. Pulves, a landowner residing near Nanagh, was waiting in a stable while his horse was being saddled, a peasant entered and handed him a letter, saying at the same time, "Swear to the contents of that." Pulves refused to swear to what he had not read, but said he would peruse it at his leisure and let him have the answer, upon which the peasant left the stable. Pulves then followed him into the yard, where he was suddenly confronted by another peasant, armed with a gun, who, coming close up to him, said, "Unless you swear to the contents of that letter, I will shoot you dead." But Pulves refused to swear; whereupon the peasant, withdrawing a few paces, deliberately levelled his gun at him and shot him in the thigh. The un-

¹ "Throughout the island," wrote Miss Harriet Martineau, in her *Thirty Years' Peace*, "the Protestants, who had always regarded their neighbours of another faith as idolaters and rebels; saw with amazement and horror that they were trusted to try the accused, to administer the laws, and transact the business of society, as freely as if they hated the Pope and cursed the Jesuits."

² Appendix XLVIIC, abolition of the hulks at Cork and Dublin—Drummond's evidence before the Roden Committee.

fortunate Pulves fell to the ground, desperately, though not fatally wounded, and the perpetrators of the deed took to their heels. Catholics suffered as well as Protestants. In the same year in which the Pulves incident occurred, Mr. O'Keefe, who was not only a Catholic, but an O'Connellite, and the agent of a Catholic landlord, was killed in the County Tipperary; whilst a Catholic priest, Father Mulqueen, who had endeavoured to prevent a party of Ribbonmen from attacking a house in his neighbourhood, was also shot dead in the County Limerick. In 1838, Mr. Wayland, a friend of Mr. Cooper, had evicted a tenant named Ryan in the County Tipperary, and was in consequence marked out for destruction by the implacable members of the Ribbon confederacy. Not long afterwards Mr. Wayland, in company with Mr. Cooper, was returning from Kilmore to the town of Tipperary, when three peasants armed with guns met them on the road. Without a word of explanation or warning the latter proceeded to fire on Wayland and hit him in the hip, but they killed by mistake the unlucky Cooper, whom they had not designed to injure at all. The murderers were eventually brought to justice, and having been tried at a special Commission at Clonmel the same year, were found guilty and executed.

It was this last crime which led to Drummond's famous letter to the Tipperary magistrates. In April 1838 the magistrates of Tipperary, pompous in their pride of place and confident of respectful hearing, formally addressed the Lord-Lieutenant on the occasion of Cooper's murder, which had recently been committed in that county, and urging the prevalent state of disorder and the consequent anxiety attaching to the possession of property, called upon him to put in force the strongest powers which the laws of the land permitted, and to apply to Parliament for further authority to deal with the unlicensed possession of arms. The letter was signed by Lords Glengall and Lismore, and by thirty other Tipperary magistrates—an imposing cohort of the guardians of the law. But the magistrates were curiously unacquainted with the man they had to deal with. For a century they had had their way. Coercion, strangulation, transportation, and universal suffocation of every expression of mental and bodily misery had in their warped judgment been the sovereign cure for the ills of that unhappy island, of that struggling, yearning, ever-aspiring, defenceless people. For a century they had leant upon the Castle staff, and now it ran into their hand. For a century they had perverted justice, because they had never heard the truth; and now the truth was exceeding bitter, and it rankled and festered in the well-kept bodies of these Tipperary magistrates, and a titter went round Ireland when their remarkable discomfiture was known. But the merriment was of the sort

caused in a tragedy, when a piece of the scenery collapses, and the villain runs to put it up again. The horror of the scene is resumed, the disgust at the villainy continues unabated, and the pent-up emotions of the excited audience wait in a grand expectancy for the final catastrophe of the great drama. Drummond replied on the 18th of April, 1838, to the Tipperary magistrates as follows, in a letter addressed to Lord Donoughmore, the Lord-Lieutenant of the county—

“His Excellency has heard with the deepest concern of the lamentable occurrence to which the magistrates have called his attention, and has not failed to direct the most prompt and vigorous measures to be adopted with a view to bring to justice the perpetrators of so atrocious an act. His Excellency has reason to hope that these measures will be speedily attended with success.

“His Excellency will not now notice the other topics contained in the memorial, further than to observe that he deems them deserving of the most serious attention. They are so much at variance with the official information which has come to his knowledge, that he considers it necessary to institute an immediate and careful inquiry with a view to ascertain, in the clearest manner, the actual extent of the evils which the magistrates represent to exist, and, so far as may be possible, the immediate causes to which they may be attributed.

“When His Excellency has received the information which he expects to derive from such inquiry, he will communicate fully to the magistrates his opinion as to any steps which he may in consequence deem it his duty to adopt or recommend.”

The further communication was written by Drummond on the 22nd of May. After rebutting the allegation of the magistrates that the juries of their county had been acting under terrible intimidation, Drummond continued—

“His Excellency has no reason for believing that the occurrence from time to time of serious outrages in the county of Tipperary is justly to be ascribed to the existing state of the law, or the manner in which it is administered. The Government has been at all times ready to afford the utmost aid in its power to suppress disturbance and crime ; and its efforts have been successful, so far as regards open violation of the law. Faction fights and riots at fairs, which were generally of a very ferocious character, and the fruitful source of much subsequent crime, have been to a very great degree suppressed, though heretofore most commonly suffered to pass unchecked and unpunished ; but there are certain classes of crime originating in other causes, which are much more difficult of repression. The utmost exertion of vigilance and precaution cannot always effectually guard against them ; and it becomes of importance to consider the causes which have led to a state of society so much to be deplored, with a view to ascertain whether any corrective means are in the immediate power of the Government or the legislature. When the character of the great majority of serious outrages occurring in many parts of Ireland, though unhappily most frequently in Tipperary,

is considered, it is impossible to doubt that the causes from which they mainly spring are connected with the tenure and occupation of land. But His Excellency feels that it would be quite beyond the limits, and not consistent with the character of a communication of this nature, either to enter into an examination of the lamentably destitute condition of a cottier tenantry possessing no adequate means of a continuous support, or to advert in detail to the objects for which the formation of such a class was originally either permitted or directly encouraged. If from political changes or the improvements in modern husbandry, these objects are not any longer to be obtained by the continuance of such a state of things, His Excellency conceives that it may become matter of serious question whether the proprietors of the soil are not in many instances attempting too rapidly to retrace their steps, when he finds the fact to be, from returns furnished by the Clerk of the Peace for Tipperary, that the number of ejectments in 1837 is not less than double the number in 1833. The deficiency of a demand for labour, and the want, as yet, of any legal provisions against utter destitution, leave this humble class (the cottier class), when ejected, without any certain protection against actual destitution. Hence the wholesale expulsion of cottier tenants is unfortunately found, with the great body of the people, to enlist the strongest feelings—those of self-preservation—on the side even of guilt, in vindication of what they falsely assume to be their rights; and hence a sympathy for persons charged with crimes, supposed to have arisen from those causes, is still found a lamentable exception to that increased general respect for the laws which has of late years been remarked with satisfaction by those concerned in the administration of justice. Property has its duties as well as its rights. To the neglect of those duties in times past is mainly to be ascribed that diseased state of society in which such crimes take their rise; and it is not in the enactment of statutes of extraordinary severity, but chiefly in the better and more faithful performance of those duties, and the more enlightened and humane exercise of those rights, that a permanent remedy for such disorders is to be sought."

This letter came as a thunderclap. Lord Donoughmore declined to publish it. The magistrates, smarting under the lash of truth, commenced to whine at the door of authority. The landlords took up the howl, and there was the truly pitiful spectacle of the smiter crying for mercy and hawking his grievances before the smit. When questioned before the Roden Committee as to his refusal to publish Drummond's reply, Donoughmore gave as his reason that the letter appeared to him to throw the blame of the outrages upon the landlords. This excuse was unanswerable, it was sufficient, it was absolutely true. *Property has its duties as well as its rights.* These were the words which galled. This was the simple truth that ate like a canker into the tender flesh of Irish landlords. What a comment upon their past history was this demonstration of mingled fear and rage! Nine words had desolated their composure. Twelve syllables had blown into flame all the evil passions of human nature; and there was

a long, loud laugh that shook the whole island. It was very mirthful, very mirthful indeed, that the Castle itself had trodden upon its darlings.¹

Thomas Drummond stands in no need of a monument. The little weakly boy, who returned from school with ears bleeding from the blows of a pedagogic tyrant, lived to become the only man who had known how to govern Ireland. What an honour! How many have tried and failed? He is the Timoleon of Ireland; and the means which he employed to solve the Irish riddle were the simplest. There was no quackery in Thomas Drummond. Justice, sympathy, and statesmanship were the pillars upon which he reared his policy, and the results to Ireland were, as might have been expected, respect and love for her ruler, and confidence in him. Up till this time these three requisites for the government of the country had held no communion. Justice had occasionally been meted to Ireland, almost at the point of the bayonet, as in 1779, 1782 and 1829, but sympathy had turned away her head. Sympathy, again, had been evinced at rare intervals by her governors, but statesmanship, which would have redeemed it from the mere maudlin sentiment of the repentant sinner, had been lamentably wanting. Statesmanship also, like a two-edged sword, had glittered twice in the distracted land. Strafford and Cromwell had wielded it, but sympathy and justice had hid their faces. The little boy with bleeding ears was to grow to manhood and show them all how the business was to be done. A Scotsman was to teach the rulers of Ireland how to rule her. Think of the disgrace after a failure of 500 years! He showed them how to do it, and then died almost unrecognized by the dull pupil; but they took a long time to learn the lesson, although it gradually, on the principle of ever-dropping water, forced its way into their understanding. Ah! if they had only had a Thomas Drummond for the next thirty years; but could they have produced such a man? It appeared not. Their powers of generation were not up to it. When we look upon the rulers of Ireland during that period, presumably the pick of the nation, the best that the kingdom was able to contribute for the management of Irish affairs, then indeed we can understand why the hearts of reformers grew weary. They must with reason have pondered sadly over the national resources and national character, when they studied the anatomy of the rulers of Ireland. We do not say they were bad men. There never was a set of men so inoffensive in manner, and ineffective in action. There never was a set of men who so tamely submitted to insult and reproach, turning the other cheek without a blush to every passing smiter. No, they were not bad men. Their inexhaustible

¹ Appendix XLVIII, quotations from Miss Martineau and Thomas Moore.

patience under the storm of Irish criticism that beat upon them daily was proof of this. It would have been better if they had been a little more flagitious, for it requires a high intelligence to keep depravity in power, and once discovered to be positively wicked they would have fallen. This was the state of Irishmen then. They were governed by a handful of men whose official safety was measured by their inability to move, and from whom the Irishman's only apparent chance of delivery was that they might be bold enough to be rascals, for that would have been their undoing. They bore gibe, but could not have stood detection. The whole elaborate framework of their impotence would have collapsed under a well-directed blow. These men were the product of civilization. Its high-watermark of intellect, its Secretaries of State, and heads of great Departments served as a jest to philosophers and gave employment to caricature. This was the result of noble blood, religiosity, sporting instincts, and insular pride. Was it that they required another Scotsman, like Thomas Drummond, to teach them how to rule?

On the 11th of July, 1838, the Irish Railway Commission issued their second and final report, the labour of which killed Drummond and was never acted upon. In 1835 the only railway in Ireland was between Dublin and Kingstown, six miles long. In the course of the session of 1835-6 Lord Lansdowne had proposed in the Upper House a resolution in favour of an address to the King begging him "to appoint persons of competent authority to consider and report upon the principal lines of communication in Ireland, with reference to the comparative advantages and facilities they afford for the construction of railways, and that with a view to ascertain the best lines between any of the principal places in Ireland which it may be advisable to connect by railways, and for which works Joint Stock Companies may be willing hereafter to apply to Parliament." As a result of this resolution, a Commission had been appointed on the 20th of October, composed of Drummond and three others. They were required to report by the 10th of April, 1837, and they made a first report on March 11 of that year. The Commission was dissolved on the death of William IV, but a new one was issued, and a second and final report presented on the 11th of July, 1838. In it the Commissioners recommended the construction of two great lines, as being most advantageous for the country as a whole, and yielding the greatest return on the capital laid out, namely, a railway from Dublin to Cork by Maryborough (near which a branch should be thrown off nearly south to Kilkenny) and through Holy Cross, where a west branch should be thrown to Limerick and an east branch to Waterford; and a second railway from Dublin to Navan, at which point the railway should separate in two directions—the one through Castleblaney and

Armagh to Belfast ; the other through Kells, Virginia, and Cavan to Enniskillen.¹

On March 1, 1839, Morpeth,² the Chief Secretary, moved in the Commons for a Committee of the whole House on the Railways Commission, and explained the Report which had just been presented. The main feature of the recommendations was that the railway between Dublin and Cork, with a branch to Limerick, should be executed as public works, the management being vested in the Board of Works, and the Treasury having power to render such assistance as might be requisite. He concluded by moving—"That Her Majesty be enabled to authorize Exchequer Bills, to an amount not exceeding two and a half millions, to be made out by direction of the Lords Commissioners of the Treasury, and to be by them advanced for the construction of a railway or railways in Ireland, the sum so advanced being secured, and the interest and sinking fund to be secured on the profits of the works, the deficiency, if any, being provided for by an assessment on the several districts through which such railways may be carried or which may be benefited thereby." Peel attacked the measure, but, in spite of his and other opposition, Morpeth's motion passed the Commons by a majority of 44. When it got to the Lords it encountered fresh opposition, Brougham opposing it from mere hatred of the Government. After this the question came up again in the Lower House, but on three different occasions the House was counted out, and the scheme was eventually dropped from sheer lack of enthusiasm. The tendencies of the Bill were too progressive, the practical vigour with which it grappled with difficulties too incomprehensible for little minds and small men living from day to day ; and its opponents, who intensely disliked the principle, were gratified to find economic and other obstacles in the way of unpopular reform.

The result of the defeat of the Government railway scheme, which might have solved much of the Irish agrarian difficulty, had it been carried out in the spirit of the Commissioners' Report, was described by Dr. Hancock in the *Journal of the Statistical and Social Inquiry Society of Ireland* in November 1866—

"There are at present in Ireland three railways bankrupt or winding up ; two at a standstill ; six paying no dividend on the preference stock ; ten paying no dividend on the ordinary shares ; seven, the dividends of which were less than those paid on the Government bonds ; six paying

¹ Appendix XLIX, extract from Report.

² George William Frederick Howard, seventh Earl of Carlisle (1802-64). He held the post of Chief Secretary during the Lord-Lieutenancies of the Marquis of Normanby and Earl Fortescue. In 1855 he was appointed by Lord Palmerston Lord-Lieutenant of Ireland.

dividends at a rate less than that of commercial interest ; and but one (the Dublin and Kingstown) the shares of which were above par."

In the entire system of 1,881 miles of railway at that time, 566 miles were wholly unremunerative, while 1,215 miles yielded an average dividend of 3·8 per cent.; the average dividend of the whole system together being 2·5 per cent. In 1864 the percentage of the net receipts on the whole capital expended on the Irish railways was on a favourable estimate 3·28 per cent., and a few years later it was considerably less. This was the result of not listening to Drummond.

Meanwhile, although outrages did not absolutely cease, their number diminished to an extraordinary extent during the period in which Thomas Drummond was Under-Secretary at Dublin, that is to say, from 1835 to 1840. This was greatly due to the police reforms which were carried out at his suggestion. In 1836 his Irish Constabulary Bill had been passed. Now the Dublin Police Bill, introduced by Sir Arthur Wellesley, had been carried in 1808, creating eighteen new places for police magistrates. Peel, who was Chief Secretary from 1812 to 1818, established in 1814 in the interests of order a central police force in disturbed districts under a new class of stipendiary or police magistrates, called the "Peace Preservation Force," thus replacing an incompetent and ineffective local police and the bodies of troops, which up till then had often been engaged in that service. This innovation was the origin of the Irish Constabulary and the later police system. By an Act passed in 1823, this force had assumed a regular form under four provincial inspectors. In 1825 another Act had been carried making an alteration in the mode of appointing constables. The Act of 1823 had placed their appointment in the hands of the magistrates at Quarter Sessions. The new measure gave a power of appointment to the inspectors-general, by directing the magistrates to furnish them with lists of fit persons to supply vacancies, as they occurred, and empowering the inspectors-general to appoint from such lists ; but this additional power was, as regards patronage, almost entirely nominal. The "Peace Preservation Force" was, in spite of this tinkering, highly unpopular in the country, and for the good reason that all the men were Protestants. In 1835, therefore, an Irish Constabulary Bill was introduced into Parliament, prepared on the lines of one that had been drawn up under the chief secretaryship of Littleton. It proposed to substitute for the old police, who were inefficient and under the control of a corrupt and incompetent corporation, a new force constituted on the principle of Peel's London police. It was, however, after passing the Commons, rejected by the Peers without any discussion either of its merits or necessity. The next year it was again introduced,

and this time passed into law with some alterations. Under this measure the police force was placed under an Inspector-General, who, with an office in Dublin Castle, was in immediate touch with the Government. The selection of the men was nominally vested in the Lord-Lieutenant, but practically in the Inspector-General, instead of being, as previously, in the hands of the local magistrates whose personal predilections had been sometimes known to overcome their ardent sense of duty. Constabulary courts were established for the enforcement of discipline, and the discipline itself was rendered stricter. Moreover, a number of stipendiary magistrates were appointed, whose functions were to be similar to those discharged by the Sheriff-substitutes in the counties in Scotland. Under the Inspector-General there were to be four provincial inspectors; under these thirty-five sub-inspectors, with salaries varying from £230 to £250; next to them the chief constables; then the head constables in two classes, and after them the constables and sub-constables, each of them likewise divided into two classes. The same Act also provided for the appointment of stipendiary magistrates who were not to be appointed magistrates of police, but merely justices of the peace. They were to act in aid of the local magistrates, and supply their place when necessary; but were in no way connected with the police establishment. In this way the magistracy was purged of many of its unpaid Castle creatures, who were replaced by impartial and salaried guardians of the law. In 1839 the whole force numbered 8,416, which was 1,300 more than in 1835; whilst a large number of Catholics had been admitted at Drummond's instance, in order to increase its popularity with the Irish people. In 1846 an Act was passed by which the police force was increased, and taken more immediately into the service of the Crown. Part of the burden of their pay was taken from the shoulders of the Irish counties, and they became practically a portion of the regular army, amounting to 12,000 chosen men, well armed and drilled. The Dublin Police Bill had also been passed in 1836, having been likewise rejected by the Lords the year before. Difficulties, however, arose in providing sufficient funds for the maintenance of the force, and before this obstacle was overcome, a considerable time elapsed, and an amendment to the Act became necessary, so that the Dublin police did not begin to operate until January 1, 1838. By this change Dublin and a certain district round it obtained the services of 1,000 efficient men, the former force having only amounted to between 400 and 500 men, who had been underpaid, miserably clothed, in many cases senile, and all of them grossly inefficient. The effect of the reform soon made itself felt. In 1836 there had been forty-four combination assaults, and in 1837 ninety-seven; whilst in 1839, when the Dublin Police Act had

been given sufficient time to make itself effective, there were only nine.

In 1839 a Select Committee of the House of Lords, known as the Roden Committee from the circumstance of its appointment on the motion of Lord Roden,¹ took evidence as to the state of agrarian and other crime in Ireland between the years 1835 and 1839, and as to the whole policy of the administration in that country in regard to its suppression. The administration, represented by Thomas Drummond, who during those years was the life and soul of the Irish Government, emerged from the scrutiny with increased reputation. Drummond proved in his evidence before the Committee that, taking the mean of crime for the years 1826-8, and comparing it with that for the years 1836-8, and allowing for the increase of the population, there had been a decrease as follows—

Murder and manslaughter	...	...	...	decrease	10%
Shooting and stabbing	...	...	...	"	46%
Conspiracy to murder	...	...	...	"	29%
Burglary	...	...	...	"	56%
Assembling armed and appearing armed by night	...	...	...	"	26%
Housebreaking, etc.	...	...	...	"	86%
Stealing cattle, horses, sheep, pigs, and calves	...	...	...	"	34%
Assaults with intent to rob	...	...	...	"	54%

There was an increase of common assaults, riots, breaches of the peace, misdemeanours, and larceny; but Drummond showed that the apparent increase of these latter offences was the direct result of the greater activity and efficiency of the police.²

What greater testimony could have been afforded to the wisdom of Drummond's rule in Ireland? He proved that coercion was not the only instrument of Government, nor punishment the only way to make a people law-abiding. That there was nothing so alien in the constitution of the Irish people to distinguish them from the other races of Europe: that they had much the same feelings, a similar capacity for good and evil; and that, if anything, they were more susceptible to kindness, and eager to display their sense of gratitude than even those who tried to govern them. On the fall of Melbourne's administration and Peel's accession to power, crime and outrage recommenced with much of their old vigour, a fact which even the Government found difficult to explain away. To cite two instances out of many—In 1842, a man named Laffan, who had rendered himself peculiarly offensive to the Ribbon confederacy, was deliberately murdered in broad daylight in the county of Tipperary, a few hours, too, after a meeting of priests and laymen had been held close by the scene of the outrage to condemn the

¹ Robert Jocelyn, third Earl of Roden (1788-1870).

² Appendix XLIXA, Drummond's evidence before the Committee.

system of terrorism that prevailed. In the same year Mr. James Scully, a Catholic landlord, was also murdered in Tipperary.¹

In 1843 what is known as the "battle of Magheracloon" was fought. The tenants on an estate belonging to Mr. Shirley at Carrickmacross, in the barony of Farney, had refused to pay their rents, and Shirley, determined to exact his due, had sent a driver to distrain the cattle of the recalcitrant tenantry. But the driver was outwitted in his attempts to carry out his master's orders, and so Shirley's bailiff proceeded to placard the chapel of Magheracloon with notices of eviction. Thereupon a riot took place, and the police intervened to preserve order, with the result that one tenant was shot dead and seven others wounded; but the peasantry refused to submit, and so stubbornly did they fight that the police were eventually forced to take to their heels. In the same year, while Mr. Waller, a landed proprietor residing near Nenagh, was sitting at dinner with the members of his family, a band of peasants suddenly burst into the room and savagely attacked him. With the aid of his sons and the servants of the house he offered a stout resistance, but, although the peasants were at last driven off after a sanguinary struggle, Waller himself was beaten to death. It was during this reign of terror that another Arms Act was passed for Ireland. For nearly fifty years a series of such Acts had been continuously in force in that country, but to little purpose. The present measure was passed at the request of a large number of orderly inhabitants in Ireland, who were compelled by the state of the times to keep arms enough for their own defence, and who dreaded a seizure of them. The Government, however, instead of continuing the last Act passed for the purpose, amended it, and thus roused the Irish to fury. This action was all the more unjust, as England and Wales, which were torn by disorder and discontent, were exempted from the measure. By the Bill of 1843, introduced into the House of Commons by Lord Eliot on May 29, no one in Ireland was to be allowed to carry arms, to sell arms or gunpowder, or to ply the trade of a smith without a licence; and no licence to carry arms was to be granted except on the recommendation of two householders. A smith's licence was forfeitable on his conviction of any misdemeanour. Licensed arms were to be distinguished by a brand, and the constabulary were authorized to search night and day for unbranded arms. Sharman Crawford opposed the Bill, as did various other prominent members. The Rebecca Riots were raging in Wales at that very time, and why, it was urged, had not an Arms Act been passed for that country? The answer was plain, because the Irish were governed on different principles from any other people.²

¹ Appendix XLIX, quotation from the *Times*, Dec. 6, 1842.

² Appendix L, extract from speech by Lord Palmerston, and quotation from the German historian, Von Raumer.

It was during the discussion upon the Arms Act that Charles Buller prophesied a great coming danger on account of the deterioration in the quality of the potato, but his words fell upon heedless ears in the confused clamour of debate. For the next three years Ireland was a perfect pandemonium of unrest. Growling discontent, seditious gatherings, arson, and murder took infinite pains to demonstrate to statesmen the rottenness of their system and the determination of the Irish to have done with it. In 1844, to mention one out of 1,000 agrarian crimes that year, Mr. Gloster, who had served notices to quit on his tenants in the County Clare, was shot dead without any warning, while driving from an adjoining farm to his own house. The next year Mr. Clarke, another landowner, was shot dead in broad daylight while walking on his own estate in the County Tipperary. Crime was increasing in ten out of the thirty-two Irish counties, and in five out of the ten the increase had assumed dangerous proportions. In these five counties alone in 1845 the cases of

Homicides were	...	...	...	47
Firing at person	...	...	...	85
Aggravated assaults	...	...	...	190
Dangerous to life assaults	...	...	...	110
Incendiarism	...	...	...	139
Killing and maiming cattle	...	...	...	108
Robbery of arms	...	...	...	420
Appearing armed	...	...	...	64
Administering unlawful oaths...	...	...	...	190
Threatening letters	...	...	...	1,043
Attacking houses	...	...	...	309
Malicious injury to property	...	...	...	104
Firing into dwelling-houses	...	...	...	93
Total				2,902

and in the rest of Ireland these several crimes amounted during that year to 2,736, making a grand total of 5,638. In 1846 Mr. Carrick was deliberately shot dead while driving from the town of Ennis in the county of Clare to his own house close by. In the single month of November in the latter year the following agrarian outrages were committed. Mr. Lucas, a landed proprietor in the King's County, was shot dead, while walking with a policeman, who had been engaged to protect him, from his herd's house to his own. William Roe, of Rockwell, in the County Tipperary, evicted a tenant named Lonergan, but the tenant brooded over his wrongs, and having awaited a favourable opportunity for revenge shot the evictor through the heart. Major Mahon, of the County Clare, turned a number of tenants out of their holdings and shipped them off to America. On the

voyage there they endured frightful sufferings, and subsequently sent home harrowing accounts of their condition. On the arrival of these accounts in Ireland, the friends of the wretched outcasts at once determined to inflict upon Mahon a retributory doom. One day, while riding in a closed carriage near his own residence, he was shot dead, and not long afterwards a policeman, who was making inquiries on the spot where Mahon was murdered, suffered a similar fate. Flynn, a Catholic peasant, who had offended against the unwritten law of Ribbonism, was stabbed to death while returning home from the fair of Newtown Hamilton, in the County Armagh. Mr. Hassard, treasurer to the grand jury of the County Fermanagh, was shot dead on his own estate. Mr. Bayley, a landowner and magistrate of the County Tipperary, was fired at while driving near the town of Nenagh, and his jaw-bone shot away. Walsh, a Catholic caretaker to a Catholic landlord of the County Clare, was shot dead in broad daylight, while walking along the high-road near the town of Scariff. A peasant named Ryan was assaulted in his own house in the County Tipperary by a band of Ribbonmen, and his wife, who heroically flung herself between him and his assailants, was shot dead. Mr. O'Donnell, the agent of the Marquess of Ormonde, was also murdered in the same manner. On the 28th of this terrible month, while the Reverend John Lloyd, vicar of Aughrim, was returning on horseback from service at his parish church to his residence at Smithstown, near Elphin, he was confronted by an armed peasant, who said to him—"Say your prayers, for you're going to be shot." "What have I done," answered Lloyd, "that I should be murdered?" "You put out a tenant two years ago on your estate at Leitrim," replied the peasant, "and I tell you say your prayers, for your hour has come." He then deliberately and without another word levelled his gun, took aim, and fired, and the unfortunate Lloyd fell lifeless from his horse. The Irish were thus being driven into outrage by famine and despair, but the only remedy for it was not cheap bread and better landlords, but a Coercion Bill. Well might the heart of the legislator sink. Disraeli had declared two years before, during the discussions in Parliament in connection with the proceedings at the trial of O'Connell, that "A starving population, an absentee aristocracy, an alien Church, and the weakest executive in the world—this is the Irish question." But this patent truth was not recognized by the majority of his countrymen, and on January 22, 1846, Peel introduced his Crimes Bill into Parliament, not indeed with the hope of ameliorating the lot of the Irish people, but of rendering their misery inarticulate. The Arms Act already in force was about to expire, and he determined to renew and extend it. The Bill provided that additional police and magistrates were to be appointed in a pro-

claimed district at the expense of the localities ; that pecuniary compensation was to be awarded out of local rates to the victims of outrage ; that persons discovered out of doors between sunset and sunrise were to be subject to penalties, and that offenders against the new regulations should be liable to transportation. But Peel was already discredited in the eyes of his party by his Corn Law apostasy, and had ranged against him a coalition of the regular Whig opposition and the Protectionists led by Lord George Bentinck.¹ Grey opened the attack upon the measure in the House of Lords, and on the same day that the Corn Law Bill received the royal assent, it was rejected. This gave Peel a welcome opportunity of resigning. In July he was succeeded by Russell at the head of a Whig administration. and the change of Government indefinitely postponed a possible settlement of the Irish land question.

The rulers of Ireland were like the deaf adder that stoppeth her ears, for no ears are so deaf as those that are stuffed with prejudice and self-interest. The lamentable tale of Irish woe told to the House of Commons by Poulett Scrope during the debate on the Crimes Bill, and which, even now, can scarce be read without a heartache, was listened to by the hardy Parliamentarians of 1846 without the ruffling of a sentiment. It was so difficult for them to perceive that a starving Irishman was composed of the self-same ingredients as one of themselves ; that the prosperity of the one was as deeply important as that of the other ; that both were hewn from the same block ; and that the Almighty would never distinguish between them, unless indeed He took Lazarus to his bosom and left Dives to burn. It was so hard a matter to make the pimpled, beef-eating, ignorant, self-satisfied country squire comprehend these eternal truths. Hunting four days a week, blowing his pheasants to pieces the other two, sleeping like a wart-hog on the seventh, it was as impossible to make him aware that, in spite of his possible good fellowship and coarse good nature, he was a profitless lump of clay, that his life was radically unsound and worthless for all purposes of social progress, that his sporting instincts were as vulgar as his conversation, and that he was living in obstinate sin so long as one Irishman starved while he revelled, as to persuade him that to shoot a fox was no sin at all, that to warn hounds off his park was not a social misdemeanour, that the Lord-Lieutenant of his county need not necessarily be a gentleman, or that the Tory ministry of the day was not all that could be desired. What did he care about the principles of Irish justice ? Had he

¹ William George Frederick Cavendish Bentinck (1802-1848). Immortalized in Disraeli's incomparable biography.

² Appendix LI, extract from speech by Poulett Scrope.

not inherited his money and landed estate, as he had his name? Was it not his indisputable, inalienable right to spend the one, and idle out his days upon the other? Was it not his pleasure, and was not that alone sufficient reason, to eat and drink more than enough; to beget children; to marry off his daughters to his neighbours' sons; to swear a good deal and think not at all; to place implicit confidence in the best tone of county society; to shun a self-made man and court a noble one;¹ to think that a love of sport is the ground of all the other virtues; to pass the evening of his days in educating his sons in the same honest principles; and finally to render up the ghost, firmly believing that, like his father before him, he had done his duty by the world and had no cause for contrition? Was not this the round of life and the daily tenor; were not these the aspirations of the majority of country squires half-a-century ago? No wonder the Irish starved; that Parliament listened in indefatigable calm to that story of misery which would have torn any heart not made of leather, and that honourable members should have shambled off day after day to dinner, to fuel themselves into fresh insensibility to argument on the morrow.

In 1849, amid other and similar outrages, occurred the Keyes incident. A tenant farmer of the name of Keyes had determined to remove his crops and cattle in order to avoid a seizure for non-payment of rent, and with this intent had collected a strong force of peasants to assist him. But the police, ascertaining their designs, made preparation to defeat them, and on the attempt of Keyes to carry out his plan a furious struggle ensued between the two parties, the sub-constable being killed, and the chief constable and several of his men wounded, while many of the peasants were also killed and wounded. Keyes, however, was completely victorious, and succeeded in carrying off his crops and his cattle.

At length, in 1849, the celebrated and mischievous Encumbered Estates Act was passed. The attempts since the Union at agrarian legislation had up till this time been abortive or insufficient. In 1815 the first of a series of cheap Ejectment Acts was passed; it being provided that, in all cases of holdings the rent of which was under £20, the assistant barrister at Sessions could make a decree, at the cost of a few shillings, to eject a man from house and farm. The following year an Arrears of Rent Bill was carried, which further increased the landlords' power of effecting evictions, and was a Tory counter-

Not "noble" in the sense of nobility of character, but in that of titular appendage—a very different matter, generally bought outright, in accordance with a regular and recognized tariff, and not so often earned.

move to Sir John Newport's motion earlier in the year for an inquiry into the state of Ireland. The Act provided that, if the tenant was in arrears for half-a-year, or deserted, or left his land uncultivated, or carried off stock, two justices were first to survey the premises and see that they were in the state described. As to the rent that might be due, they were to take the landlord's affidavit. They were then to sign a certificate, which the landlord was to serve with the process, and if the tenant failed to appear or to prove his case, the landlord was to be put in possession. The Act also gave the landlord the right of seizing growing crops in distress for arrears of rent, a right already possessed by English landlords. A clause had also been inserted in the Bill to remedy the gross abuse of calling on the occupying tenant to pay his rent twice over, in the event of the middleman failing to pay his own rent to his superior landlord. In such cases the occupier might recover by civil bill process to the extent of fifty pounds, and set off costs against rent which was subsequently due. But this clause, through the ignorance of the poorer classes, remained inoperative, whilst the rest of the Act was greedily taken advantage of by landowners and pushed to its extreme legal interpretation. In 1817 process of ejectment was still further facilitated by an Act which made the sole evidence of a landlord or his agent sufficient testimony for ascertaining the amount of rent due. In fact, the "ejectment code" of Ireland was peculiar to that country. Chief-Justice Pennefather¹ exactly described it when he said that it was a code of law made solely for the benefit of the landlord and against the interest of the tenant, and that it was upon this principle that judges must administer and interpret it. In England, the landlord who wished to eject his tenant upon non-payment of rent, could only do so according to the forms and principles of the common law; but, in Ireland, as we have seen, special facilities were afforded to the landlord in such cases. Even under the Irish "ejectment code," however, eviction for non-payment of rent had not extended to tenancies not created by writing, so that yearly tenants in Ireland were secure from the peculiar animosities of the law. They might, indeed, be dispossessed at any time by a notice to quit, but the notice had to expire with the termination of the year of their tenancy, and be given six months before. That is to say, the "ejectment code" had been constructed with a view of meeting the case of tenants holding under leases, and as Irish landlords had largely ceased to give leases, the old ejectment law was found insufficient, and a new one had to be

¹ Edward Pennefather (1774?-1847), appointed Chief Justice of the Queen's Bench in 1841 by Peel.

framed. Henceforward, therefore, ejection for non-payment of rent was extended to tenancies from year to year.

In 1819 a Select Committee, presided over by Sir John Newton, sat to investigate the question of land tenure in Ireland. In the report which it drew up it called attention to the great distress of the indigent farmer, and urged the crying necessity of a reform of the whole land law system, suggesting among other things the reclamation of land not under cultivation. But the committee expended its tutorial energy in vain, and made no more impression upon the predominant partner than an ass does in rubbing its sides against a stone wall. In 1823 another committee reported in the same sense, and insisted at great length upon the wretchedness of the labouring class, urging like its predecessor imperative amelioration of their condition, but similarly without result. The following year the survey of Ireland was resolved upon, and a Select Committee of the Lower House was appointed in 1824 "to consider the best mode of apportioning more equally the local burdens collected in Ireland." The object of the survey was to enable the valuers, acting under the superintendence of a separate department of the Government, to follow the surveyors and to apportion correctly the amount of the local burdens, which had up till now been apportioned by Grand Jury assessments. These assessments had often been grossly unfair, as they had, in some districts, been made by the civil division of plough-lands; in others by that of town-lands; the divisions, in either case, being assessed in proportion to their assumed areas, which bore no defined proportion to their actual contents. This flaw in the system of assessment the survey was now intended to remedy; but it was not until an interval of six years had elapsed that the valuation was eventually undertaken. In 1825 another committee, with a persistence hardly credible in the face of so much failure, advocated, like its predecessors, some small contribution of agricultural reform, but like the latter entirely without avail. In 1829 a Bill was brought forward by Brownlow with the object of facilitating the reclamation of waste lands in Ireland. The Commons passed the Bill, and it was read a second time in the Lords, but the Select Committee to which it was referred proved the discrimination with which they had been selected, and strangled it. The following year Henry Grattan, the son of the great paraclete of Irish enfranchisement, in concert with Thomas Spring Rice,¹ forced upon the unwilling attention of the Government the oft-repeated hardships of the Irish peasant, and, like the various committees that had sat upon the question, strongly counselled them to bring in a Bill for the reclamation

¹ Appointed in 1830 Secretary to the Treasury in Lord Grey's administration.

of waste lands. But the only result of his endeavours to clear the dim vision of these Government officials was the appointment of another Select Committee, which reported in the same sense as the other Committees, and with the same success.

In the year that Grattan had raised his voice against the wrongs of the Irish peasantry, the valuation of Ireland was, after indescribable delay, undertaken on the recommendation of the Select Committee that had sat six years before. In 1831 Lord Althorpe proposed a vote for £50,000 to be advanced to the Commissioners for expenditure on public works in Ireland. His proposal was carried, the peculium was administered to the gaping needs of Ireland, and there was a general self-congratulation on the largess which had thus been generously distributed to an exasperated peasantry. In 1834 Poulett Scrope brought forward the question of the Irish tenant in Parliament, laid bare the nature of the disease, and entreated a remedy for the patient. But the malady was too loathsome for the pure, soft-featured, fastidious nurses of the British Constitution, and the doors of the hospital were shut in his face. The following year Sharman Crawford, a landed proprietor in Ulster, introduced a Bill in the Lower House to carry out proposals similar to those sanctioned by the Devon Commission ten years later, but it frightened landowners in and outside Parliament, and was consequently defeated. In March 1836 he reintroduced his measure, but the bristles of these duty-shirkers still confronted him, and the Bill had to be abandoned. The same year a further Act was passed to secure the uniform valuation of land in Ireland. It enacted that the basis of all valuations was to be a fixed scale of agricultural produce contained in the Act; but the instructions given to the valuers to act in the same manner as if employed by a principal landlord dealing with a solvent tenant showed a strong inclination in favour of the former, and the consequence was that the average valuation proved to be about 25 per cent. under the gross rental of the country. In 1837 Lynch moved for permission to introduce a Bill dealing with waste lands, but, like Sharman Crawford, he found his efforts to battle with the self-interest of monopolists mere swimming in glue. At length, in 1842, a measure of a certain remedial value known as the Artificial Drainage Act was brought in and passed. It contributed to the much-needed reclamation of waste land, but, until reinforced by the Summary Proceedings Act, proved of slender advantage.

In 1845 the Devon Commission, the most important of its kind in Irish history, reported in four huge Blue Books. It had been appointed by Peel in 1843 to investigate the system of Irish land tenure, and was presided over by Lord Devon; the other Commissioners being Sir Robert Ferguson, M.P., George

Alexander Hamilton, member for the University of Dublin, Mr. (afterwards Sir) Thomas Nicholas Redington, member for Dundalk, and Mr. Wynne, with Captain John Pitt Kennedy as secretary. For some time past the rate of rent had been unduly rising in Ireland, and tenants had increasingly of late made additions to the value of their farms, in the shape of fencing, draining, building, and other improvements; whilst in thousands of instances, more especially in the North, and largely also in the Southern provinces, outgoing tenants had in consideration of these improvements been paid considerable sums by their successors on the transfer of holdings. In addition to this compensation money for improvements, which was paid by an incoming to an outgoing tenant, another sum for the "goodwill," as it was called, was also paid by the former. The "goodwill" and the compensation for improvements had during a long course of years become gradually indistinguishable as separate items, being thrown together into one amount, and payable by the incoming tenant, who was as a rule totally ignorant of the origin of the payment. The incoming tenant had generally to borrow this sum of money and pay interest upon it, and it therefore became a sort of second rent which he was obliged to hand over every year to the usurer. The tenant frequently paid this interest by giving up to the lender the best field on his farm for several years, and when it had become exhausted, another one, and so on, until in this manner all his land gradually became impoverished. This custom of tenant-right was elucidated by Lord Dufferin¹ in his evidence before the Devon Commission. In answer to question 966 he said—

"The custom may be, I think, thus defined: Tenant-right is a custom under which the tenant farmers of the North of Ireland, or, at all events, in those districts where that custom prevails, except when they have occasion to give up possession of their farms, that their landlords will allow them to obtain from the incoming tenant such a sum as shall remunerate them for their improvements upon those farms. But at the same time, though I think that that is a perfectly legitimate definition of the custom of tenant-right as now understood, there is undoubtedly another element which exists, and which influences the operation which I have described. But the element is a very impalpable one, because, although of late, since the question has been agitated and the real elements of tenant-right have been analysed by public discussion, even the farmers themselves will describe their claim as a claim on account of improvements, there can be no doubt that the sums which were paid by the incoming tenant very often had no relation whatever to the real value of those improvements, and the thing sold, instead of being called the tenant-right of a farm which is now the term generally applied to it, used more commonly to be called the goodwill of the

¹ See Lord Dufferin's *Irish Emigration and the Tenure of Land in Ireland*.

farm, and under that designation I think a different thing would be understood than a payment made for the value of the improvements into the enjoyment of which the incoming tenant was about to enter. I think under the term 'goodwill' would be recognized something approaching to what I may call 'black-mail,' paid by the incoming tenant to the outgoing tenant, in order to induce the outgoing tenant not to interfere with his quiet possession of the farm . . . (in answer to question 969) . . . so far as tenant-right represents the custom under which the landlords of the North of Ireland have been in the habit of allowing the outgoing tenant to receive from the incoming tenant a fair compensation for the permanent improvements which he shall have placed on the farm during the time of his tenancy, and for which he shall not have had time to recoup himself, the custom has been an excellent one; but so far as tenant-right is a custom under which, without any reference whatever to the improvements into the possession of which the new tenant is about to enter, he has been in the habit of paying over to the outgoing tenant an enormous sum of money, amounting sometimes to 10, 15, or, I believe, even 20 years' purchase of the rent, the custom is a most unfortunate one."¹

As a consequence of this custom which, whatever may have been Lord Dufferin's opinion as to its merits, had grown to be an integral part of the Irish land system, incoming tenants had become in a sense owners of their farms by purchase. The concurrent rights, therefore, of the Irish tenant class had gradually developed until they amounted, morally at least, to a real joint ownership of the land between landlord and occupier. This huge mass, however, of practically proprietary rights remained, if we except the Ulster Custom, outside the cognizance or protection of the law, and depended for its recognition upon the whim of the owners of the soil. In this manner there had arisen a distinct tenant-right which ought to have been brought within the pale of the law and shielded from invasion like any other property.²

The suggestions of the Devon Commission in view of this state of affairs were certainly interesting, but most of them valueless as a real remedy, for the Commissioners were all Irish landlords themselves, and lacked that breadth of view and sound statesmanship without which Ireland will never be reformed. As O'Connell wittily said of them, "you might as well consult butchers about keeping Lent, as consult these men about the rights of farmers." They described for instance Irish tenant-right as an encroachment upon the just rights of property; and, instead of advocating the principle of joint ownership by

¹ In the townland of Carthage the tenant-right of a holding on R. G. Young's estate, paying a first term judicial rent of £3 15s. 6d. and subject to an annuity of £3, was sold in 1906 for £200. That is to say, at 66 years' purchase. See Appendix to Second Report of the Royal Commission on Congestion in Ireland, 1907.

² Appendix LII, Lord Devon's opinion.

proposing to make it law-worthy, practically ignored concurrent rights altogether, and would not even allow that a tenant had a direct title to his own improvements. They kept their attention too closely fixed upon English land-tenure, the error so prominent in Gladstone's later legislation, and desired to assimilate two systems, which not even had not parted from one another after springing together from a common ancestor, but had been congenitally and from the first dawn of Irish history totally distinct. They considered that the tenant should be compensated for any future improvements he might make, but that past improvements should be left outside the law's ken, to be confiscated in fact at the pleasure of the landlord. To carry out their scheme of tenant relief, they suggested the passing of a law which should give tenants in the future compensation for permanent and productive improvements; and they proposed that such a measure should be framed upon the following lines. Any agreements which might be arrived at between landlord and tenant in regard to improvements of this description were to be duly registered, and, in those cases where agreement was found impossible, a tenant was to serve a notice on the landlord of his intention to make suitable improvements. Thereupon arbitrators, selected by each of the parties, were to report upon the suggested improvements, and the assistant-barrister, on the presentation of their report and after due examination of the state of the case, was to certify the maximum cost, which was not to exceed three years' rent. If the tenant was afterwards ejected, or if his rent was raised by the landlord within thirty years, the latter was to pay in compensation to the tenant such a sum as the improvements finished or unfinished should be valued at, provided always that this sum did not exceed the maximum originally fixed. The improvements, moreover, in order to entitle the tenant to compensation in the event of these contingencies, were to be completed within a limited time, and the landlord was to have the option of making them himself, in which case he was to be allowed to charge 5 per cent. on his outlay upon them. This was the celebrated Devon Commission's opinion; an opinion matured after two years' constant study of the unhappy land, which only proves that much study, without that sense which is erroneously termed common, is a vast and profitless weariness of the flesh. Indeed the value of the Commission lay not in its remedial suggestions, but in the enormous mass of evidence which it collected in regard to the state of Ireland, and which proved *ad nauseam* that the existing relations between tenant and landlord were incompatible with social order, and that for the purpose of ameliorating the condition of the occupier it was not enough to make it possible for the owner to do his duty by the latter, but he must be made to see that to do his

duty was the only alternative to forfeiting those privileges which were rightfully his.¹

In June 1845 an Irish Land Bill, which was founded upon the report of the Devon Commission, was brought forward by Stanley in the House of Commons. It provided for the appointment of a Commissioner of improvements, to whom a tenant desirous of improving his property was to apply, and who was to have the power of determining the desirability of the contemplated undertakings. If the Commissioner approved them, the tenant on ejection within a certain period was to be entitled to compensation for them. The only improvements which the Bill recognized were classed under the three heads of building, fencing, and draining. The tenant who built on his farm was entitled to compensation for thirty years after the building was erected, one-thirtieth of the cost of the improvement being deducted from his compensation for every year during which he had enjoyed it. The tenant who fenced his farm was entitled, on a similar principle, to compensation for twenty years and the tenant who drained his farm for fourteen years. The value of the improvements, however, was in no case to exceed £5 for each acre of the holding, and no compensation was to be granted for improvements other than those specified. On the introduction of the measure thirty-six peers, holding property in Ireland, signed a declaration that the Bill was destructive of the rights of property, and earnestly requested the Government to withdraw it. Stanley, thereupon, with considerable difficulty, persuaded the House to allow it to be referred to a Select Committee; but the latter manifested so strong a feeling against it, that its author determined to modify its proposals, and, as the summer was already far advanced, withdrew his Bill in order to re-introduce it in another shape at a more convenient season.

Sharman Crawford also introduced a measure of his own for a similar purpose the same year. He had refrained from bringing in a Bill in 1843, and had waited for the appearance of the Devon report to arm himself to the teeth with evidence of the evil state of land tenure in Ireland. But he had to fight against the selfishness and traditional rapacity of monopolists, and his Bill fell a victim to them as others had done before. In 1846 an Act was passed, founded on the recommendations of a Select Committee of the House of Commons which had been appointed in 1844 to reconsider the question, changing the principle of valuation of town lands based on a fixed scale of agricultural produce to a tenement valuation for poor-law rating, to be made upon an estimate of the net annual value of the rent for which, one year with another, the same might in its actual state be reasonably expected to let from year to year. The results,

¹ Appendix LIIA, extract from speech by Lord John Russell.

however, obtained from the two systems of valuation were substantially the same.

The same year Lord Lincoln,¹ the Chief Secretary in Peel's administration, proposed a Bill at the instance of Sharman Crawford, providing that a landowner on resuming possession in certain cases should pay compensation for future unexhausted improvements made by the tenant. This measure, which, like Stanley's of the year before, was based upon the report of the Devon Commission, passed safely through the second reading, but was then lost sight of in the resignation of Peel's Government. In 1847 Sharman Crawford once more introduced his measure of 1845, which provided for the extension of the Ulster custom to the rest of Ireland, but it was summarily rejected by a majority of 87. In 1848 Crawford again attempted to carry his measure, but in vain, although he reduced the majority against him to 23. The same year another Bill was introduced in the Lower House, this time by Sir William Somerville,² the Chief Secretary, proposing to grant compensation in future for tenants' improvements and the increased value that might thereby accrue to their holdings. But it was finally dropped, the landlords regarding it with unconcealed suspicion, and the tenants, who had expected more, with disappointment. It was also in the same year that a Land Improvement Act was passed for the establishment of a Commission with funds at its disposal, which were to be advanced to the landlords for the improvement of land and repaid within limited periods. An Irish Tenants' League was also formed in 1848 for the purpose of extending the Ulster Custom of tenant-right to the rest of Ireland; and the same year, in order to put a check upon the multitude of clearances that had taken place during the famine, and were still in progress, an Eviction Act was passed, compelling landlords to give forty-eight hours' notice to the poor-law guardians of their intention to carry out an eviction, so that provision might be made in time for the admission of the outcasts into the workhouse.

In 1849 the Encumbered Estates Act was, as has been said, carried through Parliament. This measure was a truly remarkable piece of legislation for the benefit of Ireland; and the pity of it was that Burke was not alive to expose it, nor Swift to ironically praise it. In fact, a landlord Parliament had unconsciously passed a measure which was nothing less than an edict of confiscation of the Irish land and which not only hit the occu-

¹ Henry Pelham Fiennes Pelham, fifth Duke of Newcastle (1811-1864); had the management of the War Office from June 12, 1854, to February 1, 1855.

² Sir William Meredith Somerville, Baron Athlumney in the peerage of Ireland, and Baron Meredith in that of the United Kingdom (1802-1873); Chief Secretary from 1847 (July) till February 1852, when Lord John Russell's Ministry fell.

piers, but the owners themselves. Landlords, gradually becoming more and more impoverished during a course of years, had, in a multitude of instances, heavily charged their estates. In many cases their own excesses of expenditure were to blame, but in some this course of action was dictated by a natural solicitude for the maintenance of their families; and, as the value of their land had been increasing for a long time, these encumbrances could not always be deemed an evidence of extravagance. The great famine, however, which had just desolated the land, had ruined these men in hundreds, their rentals having diminished one-half, whilst their debts were often swollen in proportion. Moreover, the process of selling encumbered estates in Ireland had always been tedious and costly in the extreme; indeed, this was one of the reasons why so many encumbered estates existed, and this difficulty at such a time rendered their condition all the more embarrassed. Before a final settlement could be arrived at between landlord and creditor by means of a sale, the various encumbrances and other interests had to be dealt with. Mortgagees indeed might obtain a decree for sale in the Court of Chancery, but the laborious and ruinous process of working it out often rendered it worse than useless. Thus a large part of the Irish land was practically unsaleable. In view of this sufflammation of procedure the Government, at Peel's instigation, proposed to throw these burdened lands in a mass upon the market, and thus to transfer them bodily to a new race of owners, more fitted, in their opinion, to discharge the responsible duties of property.

With this intent an Act was passed on July 28, 1849, which was described by Sugden,¹ the great equity lawyer, as a measure "removing from property the wise safeguards which the Habeas Corpus Act had secured for persons." By the time it had come into play hundreds of encumbered estates had passed into the power of the Court of Chancery, which was the only tribunal through which they could be sold, although the process was insufferably slow and costly. The new measure created a Court for the special purpose of selling out embarrassed landlords. Under the terms of the Act every creditor, except the petitioner who was forcing the sale, and even the latter if he obtained the leave of the Court, was at liberty to bid for and become the possessor of a property, with an absolutely indefeasible title. The purchaser bought from the Government, and at the invitation of the Government, the complete and absolute ownership of

¹ Edward Burtenshaw Sugden, Baron St. Leonards (1781-1875). Lord Chancellor of Ireland in Peel's first administration, and again in Peel's second administration. In 1852 he was appointed Lord Chancellor of England on Lord Derby's accession to power. He was the author of the celebrated remark on Brougham's appointment to the Woolsack.

the estate, discharged from all claims except those recorded in the deed of conveyance, and subject only to the existing contracts under which the tenants had rented it. Any permanent or other improvements on the land were specifically mentioned in the printed advertisements that were issued by the Land Court, and sold out and out to the purchaser under the direct sanction of Parliament by a judge appointed for the purpose. In fact, the improvements upon which tenants had expended their labour, exhausted their savings, and founded their expectations of future remuneration were confiscated in order to soothe the itching palms of a pack of usurers, who took as much interest in the welfare of the Irish people as a man feels in that of the maggots that run upon his cheese. The purchaser, moreover, was given the full legal right of determining the existing yearly tenancies, and as the tenants were as a rule unprotected by lease, and the law under which the estates were sold contained no recognition of their right to their own improvements, the rents were raised on some of those estates which actually derived the greater part of their value from recent tenants' improvements.

The result of the Act proceeded as surely as a law of Nature. Lands with rentals in the aggregate of hundreds of thousands a year were suddenly thrown upon the market; and estates, valued a few years before at more than twenty years' purchase, sold for half or even a third of that amount. Thousands of creditors, who in a sudden panic had called in their demands, lost debts at one time perfectly secure, and time-honoured families, whose estates were not encumbered to much more than half their value, were sold out and reduced to beggary; whilst the grasping incumbrancers escaped all participation in the effects of the great famine, and forgot their duty to humanity in ministering to the relief of greed.¹

The malignancy of the Act was aggravated by the fact that the occupying tenants on the majority of these estates had improved their farms, and in this way had become morally entitled to concurrent rights in them; for these rights, sometimes amounting to joint ownership, were ruthlessly destroyed by the above-mentioned provision which released purchasers from all such and similar claims. In fact, estates upon which the custom of tenant-right prevailed were sold to purchasers who actually bought them with the intention of robbing the tenants of that right, and who were thus enabled, in view of a future increased rent, to outbid competitors who would have refrained from violating it. After a certain period of depression had elapsed, the price of land recovered itself, but the Encumbered Estates Act was renewed, and between the years 1850 and 1901 about one-sixth

¹ Appendix LIIB, quotations from Gerald Fitzgibbon and John Stuart Mill.

part of the soil of Ireland was transferred under the provisions of the law. Between October 1849 and August 1857 the number of purchasers or new landlords amounted to 7,489, of which 7,180 were natives of Ireland, and 309 Englishmen, Scotchmen, or foreigners. The total sum realized by these sales amounted to £20,475,956, of which £17,639,731 was Irish capital. Thus nine-tenths of the estates that were sold fell, contrary to the hopes and expectations of the Government, into the hands of impecunious Irishmen, some of whom bought cheap in order to sell again at a profit, and thus became jobbers in land of the worst type; but most of the vendees retained their possessions, and, having usually borrowed half the purchase money, raised the rents in order to meet the accruing interest.

In this way was brought about, through the injudicious nursing of the rulers of Ireland, a palingenesis of the almost extinct race of middlemen, the curse of eighteenth century Ireland. In fact, the majority of the cases of harsh eviction, rack-renting, and other unjustifiable conduct in the treatment of the Irish cottier during the next forty years may be traced to this brood,—the creation of the Encumbered Estates Act. In such manner did the boasted measure, which was hailed at the time by its advocates as the panacea of every Irish distemper, pave the way for a new land question. The rulers of Ireland had tried to solve the Irish land difficulty by a policy of evasion, which was not inconsistent with the obliquity of their previous Irish rule, and was most damaging to their character for statesmanship—a policy that was partly due to an exhausted and shallow political intelligence, which is capable only of spreading itself over a portion of the surface of things, and ignores principles, for the reason that its shifting view can embrace but a few landmarks at a time, and in part also to that squinting mental vision which sees in the methods of the charlatan the only instruments of cure.¹

That what was good enough for Ireland was considered much too bad to cross the Channel, is proved by the fact that when the proposal was brought forward in Parliament to apply the measure to England, there was such an outcry against it, as a revolutionary and dangerous scheme, that it had to be dropped with as little apology as possible. He had to be a bold man indeed who could venture to suppose that what was meat for one portion of the kingdom might be wholesome for another.

¹ Appendix LIIC, quotation from Isaac Butt.

CHAPTER X

REVOLUTIONARY AND UNCONSTITUTIONAL EFFORTS TO OBTAIN THE SEVERANCE OF IRELAND FROM GREAT BRITAIN,—EMMET, SMITH O'BRIEN, AND FENIANISM UP TO 1867

"Let us reunite ourselves with our better mind and with the world through science; and let it be one of our angelic revenges on the Philistines, who among other sins are the guilty authors of Fenianism, to found at Oxford a chair of Celtic, and to send, through the gentle ministration of science, a message of peace to Ireland."
—MATTHEW ARNOLD (*Study of Celtic Literature*).

"An American by birth, I love liberty; an Irishman by descent, I hate oppression; and if I were in Ireland I should be a Fenian."—PHILIP SHERIDAN, the celebrated American General.

IRELAND, without a doubt, was a wicked and ungrateful country. After a careful study of the best opinion entertained by her rulers, the author has reluctantly arrived at this inevitable conclusion. Rocked in the lap of indulgence as perhaps it has fallen to the lot of no other nation to be; humoured and petted by a long succession of capable governors sent out to rule and soothe her; watched over with affecting solicitude by the Imperial Parliament at Westminster, what a load of ingratitude must have weighed upon her conscience when she remembered the perversity of her conduct towards her benefactors! For what, after all, were the grievances that justified, or even palliated this churlish obduracy of spirit, this hardened indifference to the conciliatory overtures of affectionate masters? It was no argument to urge that her whole history had been one long catalogue of oppression, for was she not oppressed by her best friends, by those who ardently loved her, who anxiously laboured for her welfare, or at least affirmed they did? The Irish peasant groaned and staggered under his intolerable burden. Hope for him in this world there was none; his children might die in a ditch; he himself might famish; his life might be one continual, desperate battle for bare existence; but how could he, of all people, have the forehead to complain, zealously cared for as he was by a just, self-sacrificing landlord, who by every argument that could be advanced by the Ascendancy was proved to be acting, if not within his moral, at least within his legal rights? The entire population might languish, the greater part of the country wear the aspect of a desert, the whole nation seethe with discon-

tent—a discontent bred of disease and want, of national aims frustrated, and national demands refused—but who would be so bold as to lay the blame of all the evil consequences at the door of the rulers of Ireland, when the Government of those rulers was professedly founded upon the doctrines of the Christian religion? The author feels that an apology is due for thus trying to prove what is already a demonstration; but any man unacquainted with Ireland, through having omitted to make himself familiar with that best opinion to which reference has been made, might be puzzled by the eternal cry of Irish distress. He might be led very naturally to suppose that there must be some false joint in the family harness; that so evilly-disposed a daughter, that such a prodigy of iniquity, that such an adept in crime, must have been subjected to very crooked schooling at the hands of her mother; that, in fact, the parent was not wholly irresponsible for the unparalleled depravity of the child.

On March 13, 1801, Castlereagh,¹ in view of the troubled state of Ireland, moved the renewal of the Insurrection Act passed by the Irish Parliament in 1796. This Bill empowered the Lord-Lieutenant to proclaim any disturbed country, whereupon all persons outside their houses after a fixed hour might be arrested. Houses also might be visited at night and searched for arms, and all members of the household found absent might be hunted down, seized, and sent on board the fleet for compulsory service or transportation. Castlereagh also introduced a Bill about the same time for the suspension of the Habeas Corpus in Ireland, and succeeded in carrying both these measures. On the 12th of July of the following year a serious riot took place in Dublin on the occasion of the anniversary of the battle of Aughrim. The statue of King William had been decorated for the occasion, and Protestant enthusiasm was rampant. The result might have been foreseen. Having shown the mettle they were made of in 1798, the yeomanry were determined not to throw away their reputation, and conducted themselves while parading round the statue with such soldierly marks of contumely towards the Catholics, that the populace was provoked to fury and retaliation.

In 1803 the rebellion of Robert Emmet² occurred. The leader of the rising was a young enthusiast of twenty-four, and a brother of Thomas Addis Emmet, and had had, so it was rumoured, an interview with Buonaparte, in which he proposed to stir up a fresh insurrection in Ireland, which in turn was to be assisted by an armed descent from France. He was aided by the counsels of Miles Byrne, and fluctuated between the policy of extreme temerity and that of excessive caution, and the great

¹ Robert Stewart, second Marquis of Londonderry (1769–1822).

² Robert Emmet (1778–1803). He was the youngest son of the family.

Corsican, we imagine, was not immensely impressed by the spasmodic aspirations of this needy patriot. Indeed, Emmet's attempt from the first had no chance of success. The passion that spurred him on to revolution was rather a romantic and hopeless attachment to a young girl than any inflexible conviction that the destiny of his country lay within his reach. He was not the man for the work. He loved too much and hated not enough. His preparations, which were primarily insufficient, were not compensated by ability in execution, and he failed. He lost control of the rising, and before he was ready to move, Quigley, one of his fellow-plotters, led a mob into Dublin. When the evening fell, a sky-rocket was fired as a signal, and Emmet and his followers sallied from Marshalsea Lane into St. James Street, distributing pikes to all who were willing to accept them. They then proceeded to the debtors' prison, which they attacked, killing the officer that defended it. Emmet then urged them forward to the Castle; but on their way they fell in with Lord Kilwarden, the Chief Justice, who was driving in his carriage with his daughter and nephew, Mr. Wolfe; and not considering the gravity of the deed they dragged him off the vehicle and murdered him (July 23). Emmet, horrified at this act, fled from the city. By ten o'clock Dublin had regained its normal composure, with the loss of twenty soldiers and half-a-hundred insurgents. Before escaping abroad Emmet returned to Dublin to bid farewell to his love, Sarah Curran, the youngest daughter of the great advocate; but the delay cost him his life. His refuge at Harold's Cross was betrayed, and having been arrested by Major Sirr, he was tried, found guilty, and hanged on the 20th of September. Before his execution he wrote a letter to Sarah's brother, Richard Curran, which deserves quotation if only for the pathos and spirit of resignation that pervade it—

"If there was any one in the world in whose breast my death might be supposed not to stifle every spark of resentment, it might be you. I have deeply injured you—I have deeply injured the happiness of a sister that you love, and who was formed to give happiness to every one about her, instead of having her own mind a prey to affliction. Oh, Richard! I have no excuse to offer, but that I meant the reverse; I intended as much happiness for Sarah as the most ardent love could have given her. I never did tell you how I idolized her. It was not with a wild or unfounded passion, but it was an attachment increasing every hour, from an admiration of the purity of her mind and respect for her talents. I did dwell in secret upon the prospect of our union. I did hope that success, while it afforded the opportunity of our union, might be the means of confirming an attachment which misfortune had called forth. I did not look to honours for myself—praise I would have asked from the lips of no man; but I could have wished to read in the glow of Sarah's countenance that her husband was respected. My love, Sarah! It was not thus that I thought to have requited your affection.

I had hoped to be a prop round which your affections might have clung, and which would never have been shaken ; but a rude blast has snapped it, and they have fallen over a grave." ¹

Thomas Russell, a confederate of Emmet's, who had led an insignificant insurrection in Ulster the day following the Dublin rising, was also captured and hanged. Quigley escaped. The rebellion was over, and the last wave of the united Irish movement mingled with the ocean.

One other feature of the year 1803 was the creation of the Irish Legion, formed by Napoleon out of those Irish exiles who burned for revenge, and were impelled by the courage of despair. It was the only foreign corps in the French service to whom Napoleon ever entrusted an eagle. He knew they would not betray him, for men driven from their country never forgive. As a result of Emmet's rising the Habeas Corpus was suspended, and an Act passed for the trial of rebels by court martial. On August 11, 1803, Colonel Hutchinson moved an address to the King praying for information in regard to the late rebellion, and an inquiry into the present state of Ireland, and asked that a deputation from the House of Commons might be sent to that country to investigate the miserable condition of the peasantry and report upon the whole case. But his motion was negatived without a division, for Ministers did not find it convenient to inquire too closely into the wrongs of the Irish people. In December Castlereagh's two Coercion Bills were re-enacted, and in March 1804 another attempt was made to obtain an inquiry into the cause and nature of Emmet's rebellion, but the motion was once more rejected by 178 to 82. In 1805 the suspension of the Habeas Corpus was again carried by a majority of 41 in a house of 54, and the sifting of evidence in connection with the abortive insurrection was removed further than ever from the pale of probability.

Forty-two years after Emmet's rebellion the Irish began to starve, and corn had to be sent over to them. The Corn Laws, in face of the Irish Famine, were perceived by the most blurred vision to be an insufferable injustice, and even Peel, with sluggish sagacity, began to be aware that their final abolition was inevitable. In fact, the failure of the Irish potato was the immediate cause of the emancipation of corn. The potato was the only food of a vast majority of the Irish people, and when their one root failed them, death stared them in the face. They could not afford this further aggravation of their distress, this cruel work

¹ Robert Southey has celebrated Emmet in a poem written at Keswick in 1803. One day previous to his trial Emmet was found by the governor of the prison with a fork stuck in his little deal table, plaiting a tress of Sarah Curran's hair, that he might wear it in his bosom on the day of execution. Sarah, some time afterwards, married a Captain Sturgeon, but her heart had been broken, and she died in Sicily a few months later. She was buried in the village of Newmarket, in Ireland, her father's birthplace.

of supererogation on the part of their unkind Fate. The Devon Commission had already reported in 1845 that the peasantry of Ireland—

“are badly housed, badly fed, badly clothed, badly paid, and we cannot forbear expressing our strong sense of the patient endurance which they have generally exhibited under sufferings greater, we believe, than the people of any other country in Europe have to sustain.”¹

At the end of 1845 the citizens of Dublin assembled, irrespective of party, to press upon the Government the necessity for immediate action. At the meeting O'Connell urged the opening of the ports to foreign corn; the prohibition of the export of cereals from Ireland to foreign countries; the stopping of distillation and brewing from grain; and the employment of the people on public works, especially railways; and these suggestions, being adopted, were embodied in an address to the Viceroy. But Lord Haylesbury, with fatuous self-complacency, told the deputation, which included the Duke of Leinster, Lord Cloncurry, O'Connell, and the Lord Mayor of Dublin, that there was no grave danger of an immediate scarcity of food, and that much good might be hoped from the report of the two learned commissioners, Playfair and Lindley, whom the Government had sent over to investigate the nature of the potato disease and devise a remedy. Ireland had already been stricken five times by famine since the Union—in 1822, 1831, 1835, 1836, and 1837, but the sixth visitation surpassed all the rest in the appalling rapidity of its progress, and the dreadful memories it left behind in the minds of the survivors. Dr. Playfair and Mr. Lindley² had specially reported on the 15th of November, 1845, “on the present scarcity of the potato crop, and on the prospect of the approaching scarcity.” They said—

“We can come to no other conclusion than that one-half of the actual potato crop of Ireland is either destroyed, or remains in a state unfit for the food of man. We moreover feel it our duty to apprise you that we fear this to be a low estimate.”

The Commissioners of inquiry, in their Report, dated January 20, 1846, corroborated this statement—

“It appears from undoubted authority, that of thirty-two counties, not one had escaped failure in the potato crop; of one hundred and thirty Poor-Law Unions, not one is exempt. . .

“The poor-houses will, without doubt, be found a most important means of relief, and we consider it a most providential circumstance, that such an extensive resource is available against a calamity more

¹ Appendix LIID, extract from report of Land Occupation Commissioners.

² John Lindley (1799-1865). At this time First Professor of Botany in the University of London.

widely extended, and more serious in its nature, than any that has affected the Irish people since the year 1817."

At the end of November 1845 the ovens in the naval dockyards were set to work to make biscuit for storing, and in December the Government arranged with Messrs. Baring for a supply of Indian corn and meal, to the extent of £100,000, to be shipped from the United States and transmitted to Cork to be kept there in a central depot against emergency. The failure of the potato crop in 1846 was estimated to have entailed a loss on Ireland of eleven and a quarter millions¹ sterling.¹ The crop covered one and a half million acres, and at £10 an acre should have been worth fifteen millions, but three out of every four acres had been lost. In addition to this one-third of the oat crop had also failed, inflicting a further loss of over four and a half millions. In October 1846 the average number of persons employed on the relief works in Ireland was 114,000, in November 285,000, and in December 440,000. In January 1847 the numbers rose to 570,000, in February to 708,000, and in March to 734,000, or close upon three-quarters of a million, representing probably three million persons. In the latter month, moreover, it was estimated that 240,000 persons had already perished through starvation and destitution; whilst at one time in 1847 no less than three million people were receiving daily rations under the scheme of the relief committees. In the district of Skibereen alone, out of 62,000 inhabitants, 5,000 died in three months, and 15,000 could not tell in the morning where to look for the food to keep them alive till nightfall. Ten to twelve funerals a day were a common sight in the County Cork during the close of 1846. From December 1846 to the middle of 1847, 2,130 persons died in the Cork workhouse. The Cork Patent Saw Mills were at full work from December 1846 to May 1847 with twenty pairs of saws constantly going from morning to night, cutting planks for coffins and planks and scantlings for fever sheds and the framework of berths for emigrant ships. At Bantry there were forty verdicts of "died from starvation" pronounced at inquests held at the same time, and in other parts of Ireland the deaths were so numerous that the coroners were even unable to hold the necessary inquests. In some cases the miserable peasants, reduced to mere phantoms of their former selves, slashed with knives the cattle they met in their wanderings and sucked the beasts' blood like savages to relieve the pain of their hunger. From September 1, 1846, to June 1, 1847—

¹ 'Spraying' has since proved to be very beneficial. It acts as a sort of manure and keeps the plant green and vigorous till the tuber is matured, thus helping it to resist the progress of the blight. To be effective, it should take place before the end of June. There is seldom any trace of the blight before then.

nine months—10,000 bodies were buried in Father Mathew's cemetery in Cork. This number did not include the burials from the workhouse, for which a separate graveyard had been provided, and if it be considered that there were other burial-places in the city and its neighbourhood, in which interments were frequent, the numbers of the dead will be still more clearly realized.¹

In 1846 a Labour Rate Act was passed by the Whig Government in aid of the famine-stricken nation. The local bodies which during Peel's tenure of office had voted unproductive works the year before under a Labour Rate Act providing for the repayment of half the cost by the localities had been, it was said, wasteful. The Government Bill, therefore, enabled local bodies to vote the works, but imposed on the district the whole and not half the charge; a provision which it was thought would ensure greater economy. But it was found that this safeguard was not able to prevent unproductive works being started, and a "Reproductive Committee" was formed to press upon the Government the very obvious truth, that if the country taxed itself to supply public work, the labour should, in common justice, be employed upon undertakings of some utility. The exertions of this Committee at length elicited a letter from the Lord-Lieutenant authorizing a scheme of profitable labour, but hedged about with so many perplexing conditions that the consent was little better than a refusal. Many of the Irish landlords could think of nothing better than coercive measures to cure the famine, and dunned the Government for them, whilst others clamoured for subscriptions from England.²

Meanwhile charitable persons all the world over sent gifts to support the Irish, and contributions flowed in from the United States, the Continent, and even the Ottoman Empire. Notwithstanding the failure of the particular crop, which had been the only resource of Irish poverty, the land produced ample provision for its own population during these two terrible years without the necessity of importing an ounce of food, had Ireland been any other country in the same hemisphere. But during the whole of that period a fleet of ships, owing to Russell's apathy, or a policy of neglect too refined for the ordinary comprehension of man, left her shores every day laden with corn, so that the Irish people, overflowing with bread but tasting none, perished of hunger in the granary of England.

¹ Appendix LII, quotation from William Edward Foster.

² The *Times* called them on September 22, 1846, "A confederacy of rich proprietors to dun the national treasury, and to eke out from their resources that employment for the poor which they are themselves bound to provide by every sense of duty to a land from which they derive their incomes. It is too bad that the Irish landlord should come to ask charity of the English and Scotch mechanic, but it seems that those who forget all duties forget all shame. The Irish rent must be paid thrice over."

Coroners' juries could hardly be blamed, therefore, in finding on the occasion of inquests over bodies blighted by famine verdicts of "Wilful murder against John Russell, commonly called Lord John Russell."¹

The Repeal of the Corn Laws in 1846 failed to hinder the progress of the famine or to alleviate it in any way, as Ireland, so far as corn was concerned, was an exporting, not an importing country. The only result of the repeal in Ireland's case, as has been observed elsewhere, was the ultimate ruin of one of her main industries—corn-growing—and of all those depending on it; for she could no longer export corn cheap enough to compete with foreign wheat, and a multitude of the old tenants were forced to leave the more cultivated lands and retire to the mountains or the margins of bogs, and there eke out a precarious existence, whilst Scotchmen were put in their places in consolidated holdings.²

In the year following the repeal of the Corn Laws advances were made to the Irish Railways for the purpose of affording a fillip to Irish enterprise. In 1836 a small commission had been appointed by the Whig Ministry to consider the possibility of introducing railways into Ireland, and three years later Morpeth had brought forward a plan for giving effect to some of its recommendations by the construction of a line from Dublin to Cork. But the scheme did not receive any support in Ulster or Connaught, and, as it was not welcomed in England, the Government felt themselves too weak to push it through, and so it was dropped. In 1847, Lord George Bentinck, with a view to relieve the famine-stricken Irish, disinterred the question, and proposed that the Government should set these skeletons to work on the wholesale construction of Irish railways, suggesting that in the case of the shareholders of a line finding one-third of the capital, the Government should advance the remaining two-thirds at an interest of $3\frac{1}{2}$ per cent. He contemplated making these advances to the extent of sixteen millions sterling, thus providing for a total expenditure of twenty-four millions on public works of utility. As the loan advanced by the State was to form a first charge on the undertaking, a railway which earned £2 6s. 8d. per cent. on its whole capital would be able to pay £3 10s. per cent. on the portion of its capital advanced by the Government. Russell and the Ministry, however, intimated their intention of opposing

¹ Russell was like a cock-sparrow, very small and very pugnacious. In him were embodied all the pride and exclusiveness of the great Whig families. They had the welfare of their country at heart, but would much rather have ruled a declining and impoverished kingdom than seen it flourishing in other hands.

² Appendix LIII, quotation from Thomas Carlyle, and a description by Professor Huxley of the potato fungus. To read Huxley is an intellectual delight. The unclouded lucidity of his reasoning, like that of Hume and J. S. Mill, is the result of perfect understanding of the subject he is writing about.

Bentinck's measure, and it was consequently thrown out; but they shortly afterwards turned round, and themselves consented to grant a sum of £620,000 as a loan to three Irish railways, a step which very naturally involved them in a charge of inconsistency.

Other efforts were also made to alleviate the distress of the famished country. The rates which the Irish Poor Law guardians levied only yielded £298,000 in 1845, and £426,000 in 1846, the latter sum being equivalent to a rate of $7\frac{1}{2}d$ in the pound on all Ireland. The Poor Law of 1838, moreover, had made no provision for relief outside the workhouse, and it was found that the demands made upon the existing poor law system owing to the famine were far beyond its capabilities. Three Acts therefore, extending the Irish Poor Law of 1838, were passed in 1847 during Russell's administration for the purpose of meeting the emergency; one of which dealt with vagrancy, whilst the others provided for the distribution of relief. Of the two relief Acts one was a new loan of ten millions announced by the Ministry in February to be employed in relief from time to time, half the advances to be repaid by rates (£3,000,000 were repaid by 1854), and the other half to be granted from the treasury. Relief could now be afforded outside the workhouse, when the latter itself was full; but it was only to be obtainable on the express recommendation of the Poor Law Commissioners, and was to be a merely temporary relaxation accompanied by a rigid labour test. The number of workhouses and boards was also increased, the area of the electoral district was reduced, and the boards were compelled to appoint medical and relieving officers. The Temporary Relief Acts came into effective operation in July 1847, during which month over three million persons received daily rations. The machinery consisted of Relief Committees in each electoral division, with a Finance Committee and Government Inspectors in each union, the entire system being under the control or direction of a Board of Commissioners in Dublin. The estimated cost of this relief in food was three millions, but the amount actually expended was £1,557,512, being nearly £500,000 less than what Parliament had allowed to be raised under the Acts. This extension of relief necessarily imposed a considerable addition to the liability for rates on the impoverished owners of the soil. But poor law relief was, with rare exceptions, made subject to an extremely severe condition, no one occupying more than a quarter of an acre of land being permitted to claim support from the State. This "quarter-acre clause," as it was called, of the Gregory Act compelled peasants to give up their little holdings in thousands, in order to qualify for relief; so that emigration now trod on the heels of famine, and soon developed into that silent exodus which has gradually

altered the face of the country. In fact, the petty occupiers were dispossessed in multitudes by the clumsy benevolence of the State.

The results therefore of the famine, the repeal of the Corn Laws, and the extension of the Poor Law in 1847 was the disappearance of a large portion of humanity from the face of Ireland. The fall of the population of Ireland during the two or three years after the famine was out of all proportion to the rest of the world. In 1801 it had been 5,395,456; by 1841 it had gradually risen to 8,175,124. After the famine the numbers rapidly sank; in 1851 the population was 6,522,385; in 1861, 5,798,564; in 1871, 5,412,377; and in 1881, 5,174,836, or 220,620 souls less than in 1801, whilst that of England had been growing by leaps and bounds. The Census Commissioners of 1851 calculated that, but for the famine, the population in 1851 would at the ordinary rate have been 9,018,799, or about 2,500,000 more than it actually was. In Leinster, the population had diminished 15·25; in Ulster, 15·70; in Munster, 22·47; in Connaught, 28·81 per cent. For every square mile in Ireland there were 49 fewer persons in 1851 than ten years earlier. In 1841 there were 1,328,839 houses in Ireland, and ten years later only 1,046,223. There were 355,689 fewer mud cabins with a single room than in 1841; and in the latter year there were 697,549 holdings under 15 acres, as against 307,665 in 1851. In the years 1847, 1848, 1849 the number of ejectment processes in the superior courts and the assistant-barristers' courts was 32,531, the plaintiffs obtaining judgment in 25,739 cases; whilst in the four years 1849-52, 58,423 families were evicted, or 306,120 souls. In 1850 the number of persons evicted was 74,000. After the repeal of the Corn Laws, Irish wheat ceased to enjoy the monopoly of the English market, and free trade, with its consequent increase of pasture-land, contributed to the other causes which brought about the precipitate depopulation of Ireland. For ten years previous to 1841 about 630,000 persons left Ireland permanently. Between 1846 and 1851 nearly a million persons died, and between 1841 and 1851 the number of persons who left permanently was 1,640,000. In 1852 the number of emigrants from Ireland was 220,000; in 1853, 192,000; from 1851 to 1860, 1,163,148; and between 1861 and 1863 the number was 200,000, making a total of about three and three-quarter million souls. The great bulk of the emigrants went to the United States, Canada and Australia. Some established themselves in the manufacturing districts and great towns of England and Scotland. In England and Scotland, according to the Census Commissioners, there were in 1861 no less than 805,703 Irish, born in Ireland. From the 1st of January to the 1st of November, 1847, 278,000 persons landed from Ireland in Liverpool alone; and of these 130,000 sailed from that port to

foreign countries. The total emigration abroad for 1847 was 215,444. Between 1848 and 1864 the Irish in America sent home, either in money or in the form of prepaid passages, more than £13,000,000 to enable those who remained in Ireland to re-join them. In 1847 these remittances amounted to £200,000; in 1848 to £460,000; in 1850 and 1851 to about a million in each year. According to the Twenty-fifth General Report of 1865, nearly a million and a half sterling was sent from America in each of the years 1852 and 1853, and in 1854 more than a million and a half were forwarded. In addition to these thirteen millions, over £300,000 were sent from Australia by Irish emigrants during the years 1859-1864 inclusive. The Emigration Commissioners put the total remittances up to 1863 from Irish emigrants to the United States, Canada, and Australia at £12,642,000. But this amount does not represent the entire sums sent. The same Commissioners in their report for 1863 say in regard to these estimates—

“It is necessary to repeat that these returns are very imperfect, as they contain none of the remittances through the post or through private hands, or through any of the banks or mercantile houses which decline to furnish us with information. It would scarcely be unreasonable to estimate the amount of which there are no returns at half as much again as that of which there are returns.”

Thus according to the Commissioners the gross amount of money received by the Irish at home from their kinsmen across the seas probably amounted to not less than £19,000,000. From 1861 to 1870 the emigrants numbered 849,836; from 1871 to 1880, 623,933; from 1881 to 1890, 770,706; and from 1891 to 1900, 433,526—a total from 1851 to 1900 of 3,841,419, consisting of 2,013,344 males and 1,838,075 females. The large majority of these emigrants were young, strong, and enterprising, the very class which it was most desirable to keep at home; thus, in 1900, 82·3 per cent. were between the ages of fifteen and thirty-five. This flow of blood from the Irish wound temporarily eased, but permanently enfeebled the disordered country. The men who fled from famine and bad government took their loathing of the predominant partner with them, if they took nothing else. The deliberate policy of the latter had cast them adrift, and, like the weapon of the savage, they might yet return upon that partner's head—*Cælum, non animum, mutant, qui trans mare currunt*.¹ By 1902 wheat had almost ceased to be

¹ W. E. H. Lecky has an interesting passage in *Leaders of Public Opinion in Ireland*—

“It is probable that the true source of the savage hatred of England that animates great bodies of Irishmen on either side of the Atlantic has very little real connection with the penal laws, or the rebellion, or the Union. It is far more due to the great clearances and the vast unaided emigrations that followed the famine.”

grown in Ireland, and the acreage of flax, formerly a most profitable crop, had greatly diminished owing to the free importation of flax from Belgium and other countries. Was this to be the only result of the Union bought with place, titles, and money by the younger Pitt? Was this to be the only fruit of the marriage bargained for by the son of Chatham—this the only offspring of fifty years of wedded life? ¹

The migration itself was of a piece with all the rest. The Irish people had escaped from one doom to be overtaken by another. Compassed on all sides by calamity, their last state was even worse than their first. The exodus took place chiefly from Connaught and the South of Munster, which were the scenes of the worst devastation of 1854-7. The emigrants, jammed like slaves in a hold, and, having no marketable value in the eyes of the ship's master, treated even worse than slaves, suffered fearful privations in their passage abroad, and it was not until Stephen de Vere had nobly braved in person over and over again the horrors of the passage, and published them to the world, that the rulers of Ireland in very shame at their apathy took the matter in hand.² De Vere's example was soon followed, and Vere Foster's name should be remembered in connection with these philanthropic attempts to get a little justice done. In April 1847 six Peers and twelve Commoners laid a scheme before Russell for the transportation of one million and a half Irishmen to Canada, at a cost of nine millions sterling to be charged on Irish property, and paid by an income-tax. A few months later, a Select Committee of the House of Lords presented a report "On Colonization from Ireland," and advocated the removal from Ireland of "excess of labour." Neither of these schemes, however, was fully adopted, although aid was spasmodically given to carry out some of the objects they had in view.

A strong proselytizing movement was taking place at this time. Since 1818 the Irish Society had been distributing the Irish Bible among the Roman Catholics, and had achieved a considerable success. During the ghastly years of famine, whilst the minds and wills of men were gradually becoming unhinged and enfeebled through the havoc wrought by hunger upon the body, a yet more determined attack was made upon the Roman Church. A certain Mr. Dallas, a clergyman,

¹ Well might Edward Horsman say, in 1849—

"Bad legislation, careless legislation, criminal legislation has been the cause of all the disasters we are now deploring."

Lord Russell of Killowen said of the Irish emigrants many years afterwards—

"Their exodus has been like that of the Israelites when they were seeking to escape from the Egyptian bondage."

² Appendix LIIIA, extract from letter written by De Vere.

organized a small band of lay missionaries, called "messengers," whose duty it was to scatter tracts throughout the country, to distribute copies of the Irish Bible, and generally to decry the Roman Catholic faith; and not long afterwards the Society for Church Missions to the Roman Catholics of Ireland was established to carry on the work on a large scale. This exhibition of energy soon disquieted the members of the opposite faith, and the Catholic Defence Association issued a declaration to the effect that the Protestant Missions were bent upon undermining the religion of the Catholics by whatever means they could lay their hands upon, whether fair or foul. That this charge had probably some foundation was shown by the testimony of the author of *Essays on the Irish Church*, a writer who was friendly to the Missions—

"The fact that their great success dates from the famine seems to point very plainly to the relief given in connection with the Protestant missions as the one great cause of the reception of the Protestant teaching; for, as well as one can understand the facts in the absence of clear information, it appears that relief was given in connection with mission schools by another association."

That is to say, the humanity of the missions appears to have been doled out by their bigotry. A Christian might starve if he obstinately believed in the real presence, but if a mouthful of food could bribe him to abjure his faith and spit upon the beliefs that had taken their root at his mother's knee, he was snatched from the jaws of death and mercifully preserved to grow fat upon an alien creed. The exposure of this policy prejudiced the missions in the eyes of all the Catholics, for they shrank from contact with men who took advantage of their physical distress to force upon them a doctrine which they would have spurned with horror in the hour of health and prosperity. From this time forward the demand for denominational education became one of the chief articles in the Irish Charter.

O'Connell had died during the height of the Irish famine, and there was no one to take his place. The state of Ireland and the condition of the people have been described, and as far as human sagacity could foresee there was no probability of an early reform. Smith O'Brien had tried to reconcile O'Connell and the Young Irish Party, but had failed, and had ultimately thrown in his lot with the latter and gone over to France to try to win over Lamartine to their cause. From that time, as the reader will remember, an inveterate hostility sprang up between Young Ireland and the Rump of the Repeal Party, which was now led by one of O'Connell's sons, and before long the Repeal Association practically disappeared, and with it the Repeal movement, even in name, came to an end. A new society,

called the "Irish Confederation," was now formed by those who had been members of the "Repeal Association," but they were a mere stump of the old body, furnished with enthusiasm and with little else.

The more violent section of the Young Ireland Party had begun meanwhile to conspire against the State, for their real leader had died in September 1845 of hard work and disappointment, and there was no one to bridle the extravagant dreams of these reckless schemers. Their loss was indeed irreparable, and we are loath to leave Thomas Davis without recording in a few lines our sense of his manhood and genius. As Alexander Hamilton is said to have divined the character of the British people from their Constitution without having seen the land of their birth, so we in a humbler fashion think we can divine the character of Thomas Davis, although we know him but as a name, a shadowy form that is almost indistinguishable in the crowded pages of history. The zeal of his followers, the affection—the more than affection—the adoration that he inspired in his intimate friends, the respect of his enemies, the tribute of neutrals, the large gap that his death caused in the ranks of the Young Irish Party that was never filled again in the same upright manner, any of these is sufficient evidence that he must have been a man not cut after the ordinary, colourless, inoffensive pattern, but with a little more soul than most, a little more courage, a little more of that divine *afflatus* which the world terms genius, and sometimes laughs at. You may stand in a valley, where there is scarce a breath of air to stir a dead leaf, whilst overhead a mile high the clouds are rushing past at tempest speed. There is a gale blowing from somewhere, although you cannot feel it. These changes upon the face of the firmament, silent, but rapid and ever varying, are witnesses to the activity of the elements, and the very invisibility of the motive power fills the beholder with awe. So it is with a man of genius; so was it with Thomas Davis. He, too, lay hidden from the beholder's eye in obscurity, modest, loving, hardworking, enthusiastic, anxious only to do his duty and then die; not only shunning notoriety, but almost shrinking from the recognition of his labours by his friends. But the man of genius could not coop up his reputation by screening it from observation with his own hands. It spread and penetrated to the right and the left. A knot of enthusiasts gathered about him. A league of the ablest men at that time living in Ireland, carried away by an intense conviction of the needs of their unhappy country, and unanimous that they had at length found a leader who would carry their cause to victory and ennoble it, entrenched themselves round him, and swore to follow him wherever he might lead; and all this while Davis worked unobtrusively and was almost unconscious of the

effect he was producing. The world heard of the little band of zealots, the rulers of Ireland hated them with the dislike that is always bred of truth in the hearts of bad governors, but of its leader himself they knew next to nothing. Like a great oak pillar running up through the centre of a house he kept the bricks and mortar in their places, and the spectators from the outside wondered at the stability of the slender building, buffeted as it was by every rude gust of wind, unaware of the secret support within. It was his sterling integrity, his noble sense of duty, his passionate enthusiasm, his incomparable abnegation of self, his prescient and exploring mind, his intense and tender nature that won for Davis the ungrudging admiration of his followers and will keep his memory green for many years in the hearts of the Irish people.

After Davis's ¹ death, Charles Gavan Duffy ² confined himself to the management of the *Nation*,³ and, on the breach with O'Connell, headstrong men, exasperated at the collapse of the Repeal agitation, came to the front, and acquired a marked influence over the councils of the party, which from the first had rejected the "moral force" doctrine of O'Connell. The chiefs of this wild band of adventurers were John Mitchell, Thomas Francis Meagher, and John Lalor: and Smith O'Brien, who had up till now belonged to the more moderate half of Young Ireland, soon joined them, although he disliked many of their designs and abstained from encouraging their inclination to crime. The *Nation* newspaper being too mild for Mitchell and these other fiery enthusiasts, they broke with it in December 1847, and founded the *United Irishman*, a name pregnant with memories, and significant of their determination not to shrink, if necessary, from civil war.

The revolutionary outlook was not unfavourable. The famine of 1847 had bred nearly universal discontent, which was being fanned into flame by spurious patriots who had their own interests in view. The Irish people were suffering from poverty, disease, ignorance, and a mass of crying grievances that required redress and very patient handling, but they were untutored and exasperated, and acting upon precedent sought the way to

¹ Thomas Davis died on September 16, 1845, and was buried in Mount Jerome Cemetery, Dublin. He had projected a life of Wolfe Tone which, from the pen of such a writer, would have been without doubt interesting, but his death left him upon the threshold of the scheme, and an introductory chapter is all we have of it. A little poem by him, entitled "Annie Dear," to be found in *The Spirit of the Nation*, a collection of poems by the writers of the *Nation*; as well as another called "The Flower of Finae" published in *The Ballad Poetry of Ireland*, edited by Charles Gavan Duffy, are not without a certain merit.

² Duffy, having become Premier of Victoria and Minister of Lands in one or two other Administrations in that colony, died at Nice in 1903.

³ Some of the leading articles of the *Nation* were republished in a little volume entitled *The Voice of the Nation*.

salvation 'through rebellion and outrage. The Government, finding it easy to believe what they devoutly hoped was true, declared that the priests were at the bottom of the disorder, and that they hounded on their flocks to the perpetration of every vile deed, and Lord Minto¹ was instructed in 1847 to bring their conduct to the notice of the Vatican authorities. In a letter to Minto, Palmerston told him that he might confidently assure the Papal Authorities that "at present in Ireland misconduct is the rule, and good conduct the exception in the Catholic priests, and that their general attitude was disgraceful, instigatory to murder and disorder." That this was an exaggerated description, the result either of ignorance or prejudice, or both, is proved by a letter written by Lord Clarendon,² who was at that time Lord-Lieutenant and better acquainted with the state of Ireland than half-a-dozen Palmerstons—

"With respect to the priests," he observed, "I must again report, that, as a body, there is not in the world a more zealous, faithful, hardworking clergy, and most of the older priests are friendly to order, to education, and to the general improvement of the people. There are, however, some unfortunate exceptions, but it is among the younger clergy, the curates and coadjutors, that the real mischief-makers are to be found."

During the course of 1847 there was hardly a week without some hideous crime, varying from the others in kind as little as in atrocity. The records of October, November and the latter half of September, 1847, will suffice. On September 16, 1847, Michael Connell was shot dead in open day in Limerick. The next day, in the same county, Michael Kelly was shot, but survived his wound. The blood of his family, however, was required, and within a week his brother was shot dead. On the 2nd of October, Mr. Roe, a landlord and magistrate of Tipperary, was shot dead on the high-road in open daylight near his own house. On the 3rd, John M'Eniry suffered the same fate. On the 8th, Timothy Hanly, a woodranger, was shot dead in Tipperary. On the 11th, Peter Nash was shot, and died an hour afterwards in Limerick. On the 18th, Mr. Lucas, a landlord, was shot dead in King's County. On the 24th, Patrick Ryan, Mr. Kellett's steward, was murdered in the same manner in Tipperary. On the 30th, Michael Welsh, Mr. O'Callaghan's steward, was shot dead in Clare. On the 2nd of November, Major Mahon was shot dead in Roscommon. On the following night the house of Mr. Meade, in Limerick, was attacked for the purpose of obtaining arms, and Mr. Meade dangerously wounded. On the 5th, a police-constable

¹ Gilbert Elliot, second Earl of Minto (1782-1859). He had been appointed Lord Privy Seal in Lord John Russell's Cabinet of 1846.

² George William Frederick Villiers, fourth Earl of Clarendon (1800-1870). He died during his tenure of the post of Foreign Secretary.

in King's County, while protecting a magistrate, was shot at and wounded, and Patrick Clearey, a Limerick smith, was shot at and mortally wounded about the same time. On the 7th, Edward Devitt was mortally wounded in Tipperary, whilst aiding a neighbour to defend his house. On the 12th, Mrs. Ryan, wife of a bailiff, was brutally shot in Limerick. On the 13th, Mr. Hassard, treasurer of the county, was shot and died of his wounds in Clare. On the same evening Mr. Bayley, a landlord and magistrate, was shot and dangerously wounded in Limerick. On the 16th, a man was shot at in Tipperary. On the 17th, Patrick Larkin and his son were both shot at and wounded in Limerick. On the 18th, Mr. Hill, a land-agent, was shot dead in the same county, and a man who was with him mortally wounded. On the 23rd, Kelly, a collector of poor rates, was shot dead in Roscommon, and on the 28th, a clergyman, Mr. Lloyd, returning from church, suffered the same fate near Aughrim. Thus nearly all the grave offences were committed in Clare, Limerick, and Tipperary.¹

In consequence of this outbreak fresh measures of coercion were adopted, but generally with little result; in fact, in many cases they only aggravated the disorder. As Cobden said in Parliament on March 8, 1850—

“Pass your measures for bringing Ireland into closer approximation with this country—for giving her your own institutions, and a better representative system—and I believe we shall do more to preserve order there than if we were to send a dozen regiments to that country.”²

But this was exactly what the rulers of Ireland desired to avoid. It was no doubt troublesome to have to listen every day to the scream of Irish woe. It was embarrassing to be told by every impartial observer that a system propped up by bayonets was indefensible; but it was ten times better than the redress of Irish grievances. This last step would be perdition. What! two centuries of honourable tyranny to end in an ignominious retreat! Not only would it be contrary to their interest, but destructive to their dignity. Their spirit would then be on a par with their statesmanship, and the most practised dissembler would be unable to explain it away.

Up to 1845, the year when the potato rot had first made its appearance, the population of Ireland continued to increase, but at the end of this visitation there was a decrease of 650,000 souls, and another three years witnessed a fresh diminution of

¹ Well might John Bright declare in a speech delivered on December 13, 1847—

“We maintain a large army in Ireland, and an armed police, which is an army in everything but name, and yet we have in that country a condition of things which is not to be matched in any other civilized country of Europe, and which is alike disgraceful to Ireland and to us” (*Speeches* in 2 vols., 1869).

² *Speeches* in 2 vols., 1870.

1,100,000. As an aggravation of the famine had come the bountiful folly of the new Poor Law with its "quarter-acre clause," for the measure had necessarily proved a failure and been followed by wholesale evictions. In the three years ending March 1849, 160,000 persons had been ejected from their holdings. One landlord of Galway had turned out his tenantry on a stormy winter's night. Mothers choking with sobs had implored a few days' shelter for their little children, but their entreaties fell upon hearts of stone, and so many of them died. Peel said of this savagery—"I doubt whether in any country calling itself civilized a case of more grievous hardship ever occurred." But such acts were probably not at all uncommon. In September, 1847, 6,000 notices of ejectment were served in a single union. Some of these poor wretches crowded into the Irish workhouses, and the deaths in these buildings equalled the mortality of the whole of London with its two millions of inhabitants. Those who survived these cruelties swarmed into England, and there died like flies, carrying with them, as testimony to the salubrious character of Irish rule, a hotbed of pestilence wherever they went. In England and Wales a greater number of persons perished in 1849 than had died in any previous year; 56,000 more people died than had died, on an average, in each of the preceding five years, and 34,000 more died in 1849 than died, on an average, in each of the five succeeding years, although the latter added one million of souls to the population. Between the 1st of December 1846 and the 29th of April 1847, 150,000 persons landed in Liverpool alone. The mortality among the emigrants in 1847 amounted to 17 per cent., whilst nearly one person in every six who left Ireland for Canada died on the journey. But though there was no food, there was plenty of legislation, and a shower of manna fell upon the Irish desert in the shape of Government Coercion Bills. In this way had the rulers of Ireland tried to govern her, and in this way had they succeeded.

The European revolutions of 1848 had, in addition to all this, aggravated the general distemperature of the atmosphere and brought Irish discontent to a head. Lamartine¹ had received a deputation from Ireland which had placed before him the grievances of the people, and every ship that left Ireland bore away some man or family who longed to strike a blow for their country's cause. Thus Ireland was full of the seeds of rebellion when Smith O'Brien headed the agitation. The instruments of repression were not long idle. Under the fresh Coercion Act of 1848, which resembled its predecessors in its general features, suspected foreigners were removed from the country,

¹ Alphonse Marie Louis de Prat de Lamartine (1791-1869). At this time French Minister for Foreign Affairs.

and offences against Castlereagh's Act of 1817 punished as a felony by transportation. O'Brien and Meagher were tried for seditious language and acquitted; but Mitchel was transported for fourteen years. At the same time the Habeas Corpus Act was also suspended. The passage of the Coercion Bill and the dissolution of the "Irish Confederation" occasioned the establishment of the *United Irishman*, to which reference has already been made, and which openly advocated insurrection as the only method of forcing the attention of Government to the grievances under which the country lay. Various societies with revolutionary or valour-breathing names now sprung up in many towns in Ireland. The "Emmet Club," the "Sarsfield Club," and a hundred other clubs debated their grievances in secret and shook their fists in fury at their rulers over the water. The air was full of treason, but cement of leadership there was none. No will directed the whole. Each puny conspiracy cracked its own shell, and they all necessarily failed; for it requires the gathering-in of many little clouds in the heavens to make a storm.

A couple of weeks after Mitchel's trial and the seizure of the *United Irishman* by Dublin Castle the *Irish Tribune* was established, edited by O'Dogherty and Richard D'Alton Williams, a poet, with a young doctor named Antisell, and John Savage as contributors. Two weeks later, on the 24th of June 1848, another paper appeared, under the name of the *Irish Felon*. John Martin, a country gentleman of County Down, and a friend of Mitchel's and subsequently his brother-in-law, was its editor and proprietor, and James Fintan Lalor aided him in its management.^{1 2}

At length O'Brien rose in actual rebellion. It was time, he thought, that some one should move and rouse the country after so many professions of revolutionary ardour, but his enterprise, which was ill-prepared, premature, and from the first hopeless, terminated in a miserable fiasco, and his swelling hopes were snuffed in a scuffle with a handful of police at Ballingarry. On August 5, a week after the collapse of his schemes, O'Brien was arrested at Thurles Railway Station, and with the other leaders of the rising, Thomas Francis Meagher, O'Donohoe, and Terence Bellew M'Manus, was indicted before a Special Commission at Clonmel and condemned to death. But the sentence was finally commuted to transportation for life, and they were banished, like Mitchel, to Van Dieman's Land.³ Kevin Izod O'Doherty and John Martin, who had been also arrested, were sentenced to ten

¹ Appendix LIIIB, quotation from J. F. Lalor.

² Lalor died at 39, Great Britain Street, Dublin, on December 27, 1849, in his fortieth year, having been arrested and released from prison on account of ill-health.

³ Samuel Dickson was returned without opposition as Smith O'Brien's successor in County Limerick on the expulsion of the latter from Parliament and the issuing of a new writ.

years' transportation, and carried off in another ship. Williams, of the *Tribune*, and Duffy,¹ of the *Nation*, were likewise tried; the former being acquitted, and the prosecution of the latter eventually abandoned. The *Nation*, *Tribune*, and *Felon* had been meanwhile suppressed, and the types, presses, and books connected with these newspapers seized by the police. Mitchel very soon broke his parole and fled; whilst O'Brien received a free pardon in 1854, dying in Wales in 1864. He was too small a man for so large an undertaking. He had no power behind him, and nothing to work upon but the blind fury of a few ragged, unarmed, resourceless men. It needed an O'Connell to lash Ireland into action, and O'Connell was gone. With this mock thunder ended the last Irish rebellion, which from the first had no chance of success, for the clergy had denounced it, and the great mass of the people were too exhausted or too wise to move.²

The Joe Brenan conspiracy—rebellion would be too big a word—occurred the following year. Joseph Brenan, a young follower of Mitchel, left Dublin in 1849 for Cork with the deliberate purpose of stirring a rebellion. He possessed a considerable amount of ability as a prose writer and poet, and his life was not devoid of romance, for he was the lover of that poetess who was fondly known to Irishmen as "Mary of the *Nation*." He soon gathered a sect of enthusiasts about him, among whom were Fintan Lalor and Philip Gray, a pedlar by profession; and regular drillings of the conspirators took place, one favourite spot for these secret exercises being that known as Cork Park, in the quarter where the Cork and Bandon railway now is. At length, having satisfied himself that all was ready for the revolutionary explosion, he gave the signal for the rising; but the whole business was managed with inconceivable clumsiness, some places never receiving the signal at all. Several abortive insurrections took place in various parts of the country, and Joe Brenan himself rose at Cappoquin, and with his little body of insurgents attempted to storm the police barrack there; but the police were prepared, and after a short fierce struggle the besiegers were repulsed. Thereupon Brenan, seeing that his cause was desperate, fled from the scene, and soon afterwards, embarking upon a vessel, escaped to New Orleans, in the United States. There, after the manner of a greater poet, he gradually became totally blind, and finally breathed his last in that city, composing verses upon his own calamity. *Sic gloria transit.*

¹ The fact of Gavan Duffy having been acquitted led to his being nicknamed by some "Give-in" Duffy.

² John Fintan Lalor wrote—"The people do not care to subvert the British Government; you cannot move them by talk against the Union: what they want is the land of Ireland for themselves; if, therefore, you wish to shake British rule in Ireland, you must link a revolutionary with a socialistic movement, and hound on the peasantry against their landlords, the real English garrison."

The Young Irish Party necessarily disappeared on the extinction of all their hopes. They had lacked leadership, stability, and the power of balancing possibilities, and they had consequently failed. In the desire to sweep aside what they considered the slavish conformation of O'Connell to constitutional principles they had wrecked themselves and their little ship. There had been something admirable in the burst of their young ambition, the love they bore their country, their passionate desire to free her, their eloquence, their enthusiasm, their purity of motive, their indifference to hostile opinion: but O'Connell was gone, Gladstone had not raised his trumpet voice, and they had no protagonist of sufficient eminence and genius to guide their counsels and lead them to victory. John Bright had spoken, it is true, but he was young and had not been long in Parliament, and his words were disregarded in the tumult of debate.¹ He was one of those who believed in the natural nobility of human nature, and rightly, but did not take sufficiently into account that man is primarily governed by self-interest, and not by the divine principles of justice. It is almost pathetic to read Bright's speeches and to study his career. He was a noble-hearted man, passionate yet tender, uncompromising yet sympathetic, a natural orator although no scholar; who struggled against what he thought the evil days, but without sufficient constructive genius and statesmanship to seize the helm. His orations may be studied for the purity of their style and the beauty of their precepts, if not always for their wisdom or political philosophy.

In 1849 Russell introduced his Poor Laws Rate in Aid Bill in the House of Commons. At this time nearly half of the Irish Unions were bankrupt, their resources having been drained by the demands made upon them during the great famine and by the last Poor Law, which had compelled the solvent Irish Unions to supply this deficit. A large part of the advances made by the Treasury during the stress of 1846-7 had been undoubtedly remitted, but Russell had said that the charge for the Famine in these years, as indeed was only equitable, was to be an Imperial one; and in any case nothing could justify the imposition on Irish Unions alone of rates which had been subsequently imposed by other Irish Unions, and which these latter had found it impossible to pay. This is, however, what Russell intended, and Peel lent his invaluable aid in passing Russell's proposals in 1849. Under the Bill, as introduced by the latter, the rate leviable in the electoral districts of each union was limited to 5s., to be supplemented whenever it should prove inadequate by one levied over the whole union, the total sum leviable in any parish of the union for union purposes being

¹ Appendix LIV, extract from speech by John Bright.

limited, however, to 7s. Any remaining deficiencies were to be supplied by a rate in aid amounting to 6d. in the pound charged on the whole of Ireland. When the Bill reached the Upper House, the Lords rejected the maximum rate clauses, and Russell was only able to pass his measure in a mutilated condition. In its final state it provided for the rearrangement of unions, for emigration, for charging annuities, etc., secured on land with a portion of the poor rates, and for the exemption for seven years of improved land, with an increased assessment in consequence of such improvements.¹

In addition to Russell's "Rate-in-aid" of 1849, £300,000 were advanced during the same year for purposes of land improvement, and a sum of £200,000 for drainage; whilst towards the end of the session a further grant of half-a-million was made for the purposes of the Galway and Athlone Railway, and another of £150,000 for poor relief. In August 1849 the Queen visited Ireland, and the great lady had a splendid reception from the Irish people. She was treated like a Queen; she was honoured as a woman; she was entertained as a revered guest; and the poverty-stricken Irishmen spent their hard-earned pence to celebrate her coming. This loyalty was affecting, could she but have understood. This pathetic contribution of the Irish poor to her entertainment was an admirable lesson in charity, could the rulers of Ireland have learnt it; for during that very year 16,686 families were evicted in Ireland, and 19,949 families the next.²

From 1854 to 1865 Ireland enjoyed a state of comparative tranquillity, disturbed only by a passing breeze in 1858. In that year occurred what is known in history as the Phoenix conspiracy. This insignificant plot was the result of a movement among the Irish emigrants. James Stephens, one of the rebels of 1848, who had been wounded at Ballingarry and since then living in Paris brooding over impracticable schemes and on the look out for any opportunity of hatching a rebellion, suddenly landed in Ireland in 1858, whilst John O'Mahony, another of the insurgents of 1848, who had been living for some years in New York and was one of Stephens' accomplices, crossed to America. A club had already been founded in New York, in 1854, called the Emmet Monument Association, for the purpose of revolutionary action, should an opportunity occur. On arriving in

¹ Appendix LV, extract from speech by John Bright.

² The same year saw the foundation of The Callan Tenant Protection Society by two Catholic curates, the Reverend Thomas O'Shea and the Reverend Matthew Keefe, called by Gavan Duffy "The Callan Curates." The object of the Association was fair rents, tenant-right, and employment, and the association was the beginning of the land reform movement and merged later into "The Tenant League of North and South," organized by Gavan Duffy, Sharman Crawford, Frederick Lucas, George Henry Moore and others in 1852.

Ireland Stephens became a member of the Phoenix National and Literary Society, a club which had been founded at Skibereen by some young men, of whom the chief was Jeremiah Donovan, afterwards known as O'Donovan Rossa. Stephens, by holding out assurances of American support, persuaded these men to prepare for a rising, which was to deal a fatal blow at the supremacy of England. But the Government had kept their eye upon the movement, and on December 3, 1858, a viceregal proclamation was issued warning the country that a dangerous conspiracy was afoot. A series of raids was made a few days afterwards in various towns in Ireland upon men known or suspected to be members of the Phoenix Society, and twenty persons were arrested. Nothing, however, of any importance was brought to light at the trials beyond the fact that a secret organization had in truth existed, that drillings had regularly taken place, and that a shadowy being known as the "Hawk," and generally supposed to be James Stephens, had issued his orders and been looked upon as leader. The offenders, with one exception, were treated with lenity. Daniel O'Sullivan, after being brilliantly defended by Thomas O'Hagan, who became later on Lord Chancellor of Ireland, was sentenced to ten years' penal servitude; but the other prisoners after eight months' imprisonment agreed to plead guilty, and were released in their own recognizances of £200 to come up for judgment on a fortnight's notice. Thus ended the Phoenix conspiracy. In addition to its whimsical character it had lacked internal cohesion and the indispensable momentum from outside, and the local leaders having fallen into the hands of the Government, the empty bubble burst and left scarcely any record behind it. Stephens himself fled to America, and eventually died in that obscurity from which it is a pity that he had ever emerged.

Meanwhile O'Mahony had been spreading his revolutionary propaganda in America, and a secret association, of which perhaps the Emmet Monument Association had laid the foundation, was established there in 1858, called the *Fenian*, or as it had been first known in Ireland the *Irish Revolutionary Brotherhood*. This body was founded in Dublin on March 17, 1858, chiefly by Stephens, another prominent and early member being Thomas Clarke Luby. The oath of membership ran—"In the presence of Almighty God, I solemnly swear allegiance to the Irish Republic, now virtually established, and to take up arms when called on to defend its independence and integrity. I also swear to yield implicit obedience to the commands of my superior officers." O'Mahony had been the first to suggest the old Celtic title of *Fenian*, which he borrowed from the half-mythical chivalry of the Feni, companions of Fioun, the son of Coul, whose

deeds of valour had stirred the patriotism and fired the imagination of prehistoric Ireland.

In 1861 the funeral of Terence Bellew M'Manus, one of the insurgents of 1848, who had escaped from his Australian prison in 1851 and died in America, took place in Dublin. The body was borne to its last resting-place in Glasnevin in the presence of a vast multitude of silent mourners whose hearts bled less for the deceased than for the hopeless cause he had suffered for. This tribute to an idea—for the idea was wrapped in the grave-clothes of the departed rebel—gave an extraordinary impetus to the Fenian movement in Ireland. The imaginations of Irishmen were struck by this reinterment of 1848, and from the dust of M'Manus there floated a spirit like the soft premonitory breeze before a hurricane. In November 1863 Stephens had founded a paper in Dublin called the *Irish People*, under the direction of John O'Leary, Thomas Clarke Luby, a Protestant, and Charles Joseph Kickham. This journal, which played a somewhat similar part in the Fenian movement to that played by the *United Irishman* in the history of Young Ireland, openly advocated rebellion, and contemptuously described the methods of the *Nation* newspaper, another old-time organ of the Young Irish Party, as having always led to discreditable failure. A struggle for freedom was meanwhile shaking another continent. The cry of the slave against the tyrant had at last been heard; and a million of men had waded through their blood to answer it. As the rebels of 1798 drew courage from 1789, so did the conspirators of 1865–7 from 1861. The spirit of liberty was abroad in the world, and the enfranchisement of the negro might be Ireland's opportunity. Stephens, O'Mahony, and Mitchel were the most prominent leaders of the new movement. Their object was the formation of a great league of Irishmen banded together against the hated British rule and those whom they considered the ultimate and primary excuse for that rule, the Irish landlords. No means were to be omitted, no instruments spurned, however atrocious; and the germs of a gigantic conspiracy were created, which had its separate centres in America, Great Britain, and Ireland. There was a conspicuous similarity between it and the conspiracy of the United Irishmen; they both aimed at the subversion of British supremacy, and were prepared to effect it through the medium of agrarian and any other outrage.¹

¹ Although their intended methods were infamous, the rebels had ample cause to be discontented. Bright said in a speech about this time—

"Bear in mind that I am not speaking of Poland suffering under the conquest of Russia. . . . I am not speaking about Hungary or of Venice as she was under the rule of Austria, or of the Greeks under the dominion of the Turk, but I am speaking of Ireland—part of the United Kingdom—part of that which boasts itself to be the most civilized and the most Christian nation in the world."

Dissensions, however, soon arose in the camp; the leaders became estranged from one another, and finally broke out into open feud. At the beginning of September 1865 information was conveyed to the Government by a man named Pierce Nagle, who was in the service of the *Irish People*, that a rising was being planned, and on September 15 a sudden raid was made on the office of that newspaper. The plant was seized, the paper suppressed, and O'Leary, Luby, and O'Donovan Rossa were arrested. Two months later, on November 11, Stephens was taken, although he shortly afterwards effected his escape,¹ and with him were arrested Kickham, Hugh Brophy, and Edward Duffy. The abortive conspiracy was finally snuffed in Ireland by the Constabulary putting down some bodies of half-armed men in Kerry and Limerick, and by the capture of a small Fenian party on the outskirts of Dublin. The rising in fact was as signal a failure as the one of 1848. The sentences upon the prisoners were harsh—Luby and O'Leary were sentenced to penal servitude for twenty years, and O'Donovan Rossa to penal servitude for life—and their severity appeared all the more odious in the eyes of the Irish people, inasmuch as one of the two presiding judges in the case was the hated apostate, Sadleir, the man who had been bribed to desert his associates, and who had actually been charged with having in the election of 1852 openly recommended assassination.

On the 31st of May, 1866, the Fenians in America invaded Canada and occupied Fort Erie, but their undertaking stopped where it had begun, as the United States stepped in to preserve the neutrality of the frontier and arrested the leaders of the raid. In England the Fenian movement assumed a graver complexion. A raid upon Chester Castle in 1866 was only frustrated by a mere accident, the plot being betrayed by the informer Corydon, and the situation wore so ominous an aspect that the Habeas Corpus Act was suspended.²

In the early months of 1867 came the general Fenian rising in Ireland, but the Government had all the threads of the conspiracy in their hands, and the insurrection which never assumed any great proportions was almost immediately suppressed. In February 1867 a Bill for the further suspension of Habeas Corpus had received the Royal Assent, and it was again suspended in May. On May 3, 1867, a petition was presented by Bright in the Lower House praying that the sentences on the Fenian prisoners might be revised, and the latter treated as

¹ Stephens escaped from Richmond Prison by the aid of a band of Fenians under Thomas Kelly, who was subsequently rescued in 1867 from the Manchester prison van. His escape was largely due to John Breslin, an infirmiry warder, Byrne, an assistant warder, and John Devoy.

² Appendix LVI, extract from speech by John Bright.

political prisoners, but it was rejected, John Stuart Mill being the only other member who expressed himself in agreement with it. On the 18th of September two prisoners, named Kelly and Deasy, were rescued by Fenians at Manchester whilst on their way to the borough gaol at Salford. One of the constables in charge of the van, Police-Sergeant Brett, was killed, and five of the rescuers—Allen, Larkin, Michael O'Brien, Maguire, and Condon—were captured and sentenced to death. Although the most energetic attempts were made to obtain a reprieve, three of the latter—Allen, Larkin, and O'Brien (or Gould—the name under which he was tried) were hanged by order of the authorities in the presence of 12,000 spectators, and "Martyrs' Day" is still solemnized in Ireland and in America in their memory.¹ The other two condemned men, Maguire and Condon, were pardoned, it being proved that the former had had no hand whatever in the affair. James Cahill, another of the rescuers, who was supposed by many to have been the man who actually killed Brett, escaped from England two months after the incident, and died at Lawrence, Massachusetts, in 1902.

On the top of this came the Clerkenwell outrage. A Fenian of the name of Burke was confined in the house of detention there, and a friend outside, named Barrett, had determined to attempt a rescue by blowing in a portion of the prison wall and so affording an exit. A barrel of gunpowder was with this intent rolled against the wall of the building. When all was in readiness, on the 13th of December, 1867, a fuse projecting from it was lighted, and with a report which was heard several miles from the spot and which still reverberates in history, the mass of powder exploded. Although the wall was two feet thick and twenty feet high, a breach was made in it twenty feet wide at the bottom and seventy feet broad at the top, whilst several houses near the spot were entirely destroyed. Six persons were killed outright, sixteen expired soon afterwards, and at least 120 were more or less seriously injured. Fifteen of the latter lost their eyes, legs, or arms. Forty mothers were prematurely confined; twenty of their babes died, and the rest came into the world dwarfed, or otherwise deformed. Two women besides went mad. The wantonness and thoughtlessness of the crime was shown by the fact that the yard inside the damaged wall was the exercise ground of the prisoners, so that had the latter been there at the time of the explosion, many of them, including perhaps the friend whom Barrett had hoped to rescue, must have inevitably perished. This last outrage and the Manchester rescue brought the Disestablishment of the Irish Church, as Gladstone said, "within the region of practical politics."

¹ Appendix LVIA, verses by A. C. Swinburne.

The Habeas Corpus Suspension Act had, in view of the Fenian movement, been continued in 1867, for as the misery of the Irish people was unbounded, it was determined to make their punishment as severe.¹

On the 10th of March, 1868, John Francis Maguire, member for Cork, moved for a Select Committee to consider the state of the country, and on the 16th, during the debate on the motion, Gladstone said—

“He (Lord Mayor) told us that the Irish in Australia and the Irish of Canada had no Fenian instincts or impulses, and if that be so, does it not compel us to ask the question, what is the difference between Ireland and Australia, what is the difference between Ireland and Canada, which gives one character to the Irishman in Canada, and another character to the Irishman in Ireland? Well, sir, there are these differences—and grave enough they appear to me to be. Neither in Canada nor in Australia does an Irishman labour under the slightest difficulty with regard to the legal security he enjoys for the fruits of his industry and labour, nor is he confronted by the spirit, or by the remaining institutions of a hostile Ascendancy. . . . We remember the words, the earnest and touching words with which the noble Earl (the Chief Secretary for Ireland) closed his address, when he expressed a hope, and uttered a call inviting the Irish to union and loyalty. Sir, that is our object, too, but I am afraid that, as to the means, the differences between us are still profound; and it is idle, it is mocking, to use words unless we can sustain them with corresponding substance. That substance can be supplied only by the unreserved devotion of our efforts now, in this, perhaps, last stage of the Irish crisis, to remove the scandal and mischief which have long weakened and afflicted the empire. For that work I trust strength will be given us. If we be prudent men, I hope we shall endeavour, as far as in us lies, to make some provision for a contingent, a doubtful and probably a dangerous future. If we be chivalrous men, I trust we shall endeavour to wipe away all those stains which the civilized world has for ages seen, or seemed to see, on the shield of England in her treatment of Ireland. If we be compassionate men, I hope we shall now, once for all listen to the tale of woe which comes from her, and the reality of which, if not its justice, is testified by the continuous migration of her people; that we shall

‘Raze out the written troubles from her brain,
Pluck from her memory the rooted sorrow.’

But, above all, if we be just men, we shall go forward in the name of truth and right, bearing this in mind, that when the case is proved, and the hour is come, justice delayed is justice denied.”²

Satisfied at having brought the Irish question under discussion and overjoyed that another great orator had enlisted in

¹ Appendix LVII, extract from speech by John Bright.

² “Speeches” collated from Hansard’s debates, 1870.

the ranks of Irish reform, Maguire withdrew his motion, believing that the eyes of Ireland's governors had at length been opened to the truth.¹ In consequence of the after effects of the Fenianism of 1867, a Coercion Act was passed in 1870 to combat the terrors of disaffection. In the autumn of 1870 Gladstone tried to persuade the Cabinet to release the Fenian prisoners, but it was not until the end of the year that they emerged from their captivity. In 1871 a committee was appointed to inquire into the outrages in Westmeath, and as a result of its labours a repressive law was passed. On that occasion Gladstone said—

"What we have to do is to defy Fenianism, to rely on public sentiment, and so provide (as we have been doing) the practical measures that place the public sentiment on our side, an operation which I think is retarded by any semblance of severity to those whose offence we admit among ourselves to have been an ultimate result of our misgovernment of the country."²

It was indeed a signal step in advance that a foremost British statesman should openly avow that the disorders of Ireland were the result of her misgovernment.

¹ Appendix LVIII, quotations from J. S. Mill, John Morley, and B. Disraeli.

² Appendix LVIIIA, extract from speech by W. E. Gladstone.

CHAPTER XI

IRISH REFORM BILLS OF 1832, 1850, AND 1868

THE first Irish Reform Bill after the Union was introduced on the 19th of January, 1832, and read a second time on May 25 of the same year. It proposed, as regards counties, to retain the £10 freehold franchise of 1829, and to extend the right of voting to leaseholders of sixty years possessing a beneficial interest in their holdings of the clear yearly value of £10, and to those of fourteen years with a beneficial interest of the value of £20. In regard to boroughs it proposed to limit the franchise to £10 freeholders, £10 occupiers, and leaseholders of such terms as would give the right of voting in the counties; and finally to disfranchise the corporations, and to increase the representation by giving one member each to the cities of Galway, Belfast, Limerick, Waterford, and Dublin. The Bill was naturally looked upon with disfavour by Irish reformers; for in 1829 the forty-shilling freeholders had been disfranchised—a measure which had reduced the county constituency of Ireland from 200,000 to 26,000—and the new Bill did not even reinstate these people. O'Connell therefore proposed various amendments to meet this grievance, but they were all rejected in turn. He moved an instruction that the forty-shilling franchise which had been abolished in Ireland in 1829 should be restored. It was shown by N. P. Leader that 190,000 persons had been divested of the right of voting, and Sheil urged that if there were any sincerity in the desire professed to assimilate the privileges of the two nations, the opportunity ought now to be taken for doing so. The amendment, however, was lost by 122 against 73. Another amendment was moved by Sir Robert Heron, and supported by O'Connell, that the new seat which it was proposed to give to the University of Dublin should be conferred upon the county of Cork, the city of Londonderry, or the city of Kilkenny, but it was defeated by 147 to 97. Another was moved by Sheil, having for its object the omission of the clause requiring payment of rates in cities and boroughs, which he argued would prove a fertile source of corruption and fraud: but this, too, met with the same fate. At length, on the 25th of June, Stanley proposed that the franchise should be extended to £10 lease-

holders of twenty-one years, and O'Connell's suggestion that twenty years should be substituted for twenty-one having been accepted, Stanley's amendment with this slight alteration was passed. The borough franchise was also extended to householders rated at £8. At length, on the 18th of July, the amended Bill was read a third time in the Commons, and a third time in the Lords on the 30th, and eventually became law. Thus, although O'Connell and Sheil had materially aided the Government in passing the English Reform Bill, the Irish measure was slipshod and slovenly, confined within narrow limits, and unsatisfactory even in these. The little care bestowed upon it was characteristic of the apathy of Parliament in regard to Irish affairs.¹ The qualification of an Irish member for a seat in Parliament remained the same as before the Bill, and similar to the English and Welsh qualification—namely, a clear estate of £600 a year for a county seat, and £300 a year for a city or borough. Several rotten and nomination boroughs had already been disfranchised at the time of the Union, and their disfranchisement, therefore, did not form any part of the Irish Reform Act.

After the passing of the Irish Reform Bill in 1832 the franchise in Ireland lay cramped for many years within the contracted boundaries of the jealousy and apprehension of her rulers of any symptoms of the expression of the people's will. Even the restricted franchise, which had been so grudgingly conceded, was viewed with dislike by the Ascendancy, whilst the old system of dealing with contested elections was regarded with growing dissatisfaction, suspicion being aroused by the large numbers of repealers that had been returned by Irish constituencies. Indeed the existing election committees were thoroughly untrustworthy, composed, as they were, of members of the House of Commons, before whom, in accordance with the provisions of the Grenville Act, all the petitions had to be tried; for they almost invariably decided in favour of the claimant who belonged to the same party as the majority of their members; so that, the composition of an election committee being ascertained, it could be predicted with tolerable certainty what its decision would be. An association known as the "Spottiswoode Association," from the name of one of the Queen's printers who presided over it, was therefore formed by the Conservatives to counteract this tendency; and it proceeded to raise funds and promote petitions against Irish returns which were alleged to have been obtained in an irregular manner by mob violence and intimidation. About

¹ Sir Thomas Erskine May says of it, in his *Constitutional History*—"This measure was the least successful of the three great Reform Acts of 1832. Complaints were immediately made of the restricted franchise which it had created; and the number of electors registered proved much less than had been anticipated."

the same time Charles Buller,¹ the popular and versatile Whig, who presided over a committee which had been formed to inquire into the whole system of elections, proposed to reduce the numbers of each election committee from eleven to five, and to place a paid lawyer in the chair, and he introduced a Bill to that effect in 1837. This proposal led to the introduction of an alternative plan by O'Connell who wished to transfer the jurisdiction of the Grenville Committee to a special jury, assisted by five members of Parliament under the presidency of the Chief Justice of England. Buller's Bill ostensibly did not apply to existing petitions; but both Conservatives and Radicals perceived that a slight amendment could give a retrospective effect to the Bill. The Radicals, in consequence, alarmed at the organization of the "Spottiswoode gang," as its opponents called it, desired to defer the consideration of the election petitions, until after the passage of the Bill into law. The Conservatives, on the contrary, wished to postpone the debates on the Bill until after the consideration of the election petitions. The second reading of Buller's Bill was, however, carried, O'Connell abandoning his own proposal in order to support it; but the measure was subsequently dropped, as Whigs and Radicals found that they clearly could not make it apply to existing petitions, a discovery which removed the chief object they had in bringing it forward.

In 1840 the question was again raised, and a Bill was introduced and carried by Peel to meet various complaints which had arisen in Ireland of the unfair constitution of election committees, and in particular of the "Spottiswoode gang." Charles Buller had proposed to reduce the number on each committee to five, and to authorize the Speaker to appoint three barristers who should act as chairmen and form a permanent court of appeal from the revising barristers. In 1838 Peel had brought in an alternative plan, which was referred to a Select Committee; and at the beginning of 1839 Lord Mahon submitted a new scheme. Like Peel, he desired the Speaker to appoint a committee of selection; but, unlike Peel, he delegated to this committee the duty of choosing three assessors. But his proposal was rejected, and Peel thereupon in 1840 reintroduced his own scheme of 1838, which, after being slightly amended, was passed into law. By the provisions of this Bill the Speaker was authorized to appoint a general committee of elections, to which was to be delegated the duty of selecting election committees. In this manner it was hoped that the purity of elections would be secured.

The same year the question of registration came under consideration. The Irish had long protested against the injustice of

¹ Charles Buller (1806-1848), member of Parliament for Liskeard. Appointed Judge-Advocate General by Russell in 1846.

their registration law and the procedure of election committees, and as the Ascendency could not in this case plead the convenient poverty and rights of the landlord as an excuse for legislative delay, a Bill was introduced by Stanley in 1840 to remedy the defect. The electoral law of Ireland differed notoriously from that of England. In Ireland two assistant-barristers, appointed for the purpose, sat four times a year to revise the list of voters, and a person claiming to vote for the first time was obliged to prove his title. The claim of the voter was, in fact, disputed as a matter of course, whilst in England, on the contrary, it was admitted as a matter of course, unless actually challenged. Again, in England the claim of the voter could be objected to at any annual revision, whilst in Ireland a claim, when once it had been allowed, was valid for eight years. Moreover the Irish law discouraged the enfranchisement of the poorer and more ignorant voters, but encouraged the manufacture of faggot votes, for the claimant was allowed to register his claim in any part of the county, and thus a rich man might do so at a distance from his house and gradually tire out his objectors by renewing it quarter after quarter until it was allowed. When the claim was once established, the voter was entitled to a certificate from the clerk of the peace authorizing him to vote at any election for the next eight years, during which time he could, if he pleased, apply for a fresh certificate every half year, and, if dishonest, place the certificates at the next election in the hands of different persons, thus enabling all of them to vote irregularly. Stanley's Bill of 1840 proposed to sweep away the whole fraudulent system of certificates, to authorize the assistant-barristers to revise the registers once in every year, and to permit an appeal from their decisions to a judge on assize. The Whig Government opposed the Bill, on the ground that it would act as a measure of virtual disenfranchisement, and interposed an English Registration Bill the same year for the purpose of delaying it, but their strategic measure was defeated. O'Connell supported the Government in their opposition, declaring in the House that it was a Bill for trampling on the liberties of the people of Ireland; upon which several honourable members hooted, whistled, and laughed like a mob of roughs full in his face. At each insult he repeated the words, and after the third repetition exclaimed, "If you were ten times as beastly in your uproar and bellowing, I should still feel it to be my duty to interpose to prevent this injustice." It was not the last time that such scenes were to occur, and honourable members to forget in their anti-Irish heat the behaviour of gentlemen and their love of fair play. John Stuart Mill wrote—"If all mankind, minus one, were of the same opinion, and only one person were of the contrary opinion, mankind would be no

more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind." But such considerations would be hardly likely to appeal to that class of honourable members, whose calibre for debate was not unfrequently betrayed by their larrikin power of shouting, hooting, and whistling full in an opponent's face. Stanley's Bill, supported though it was by these methods of the tout, was eventually rejected and with very little ceremony.

On the failure of Stanley's Bill, the Whig Government, the same year, introduced one of their own composition which, after dealing with the registration of voters in Ireland, proceeded to propose a radical change in the franchise, namely, its establishment on "a basis distinct and independent" and entirely new. This so-called Registration Bill was, in fact, a new unannounced Reform Bill for Ireland. The valuation under the Poor Law was to be the new basis, and an occupier of a tenement of the yearly value of £5, under a term of not less than fourteen years, was to enter upon the rights of suffrage hitherto only enjoyed by persons having a beneficial interest to the amount of £10. On Stanley giving notice that he should oppose this proposal of a £5 qualification, the Ministers changed it to one of £8, but their Bill had ultimately to be dropped, as well as three other Government Bills relating to Irish Registration, on account of the advanced state of the session.

Not having been able to secure the passage of his Registration Bill in 1840, Stanley reintroduced it in 1841, when, in order to render this second attempt likewise nugatory, Morpeth, supported by O'Connell, himself brought forward a Bill on behalf of the Government. Like Stanley in 1840, he proposed that there should be an annual revision of the register, the abolition of certificates, and an appeal from the revising barrister. In these respects there was no material difference between the two proposals. Stanley's Bill, however, gave the appeal to a judge on assize; Morpeth now proposed that it should be given to three barristers to be appointed by the Speaker. Stanley's Bill, moreover, by purifying the register, would have had the effect of reducing the number of voters; Morpeth's, on the contrary, extended the franchise to leaseholders rated at £5 a year, who had been in possession of their holding for fourteen years. Under the colour of a Registration Bill, the Whig Government had thus a second time introduced a new Reform Bill for Ireland. The measure passed the second reading by 299 to 294, and the Committee was deferred till the 23rd of April. They had meanwhile consented to raise the £5 qualification to one of £8, but the only effect of this concession was to sow disunion among their own supporters, including O'Connell, and on May 5 they were defeated on this clause by 300 to 289. Unable therefore to command a

majority in view of O'Connell's opposition and the lateness of the Parliamentary season, they were forced to drop their Bill. Very soon afterwards the Melbourne Ministry fell.

In 1844 the question was revived by the Government of Sir Robert Peel, when a Bill was introduced by Lord Elliott, the Chief Secretary, conferring the franchise on £5 householders, but his measure had to be abandoned. Four years later another attempt was made to settle the question, this time on the part of Russell's Government, and a Bill introduced creating an £8 rating entirely unconnected with any tenure, and a £5 freehold franchise in counties. But it shared the fate of its predecessor, and was dropped.¹

In 1849 the Bill of the preceding year was again introduced, with the addition of a clause fixing the franchise at an £8 rating in boroughs as well as in counties; but the proposal lacked the support necessary to ensure its success, and it again had to be abandoned. On February 11, 1850, Sir William Somerville, the Chief Secretary, brought forward for the third time the Bill of 1848. Disraeli hereupon proceeded, for party purposes, to offer it the most captious obstruction, but at length it passed the Commons. When, however, it reached the Lords, the latter, in accordance with their usual practice when Irish progress was in question, lopped one of its limbs, and thus divested it of half its efficacy; for on its going into Committee in the Upper House on June 6, Lord Desart moved that the franchise in counties should be raised to £15, and the amendment having been carried by a majority of 22, the Irish Parliamentary Voters' Bill passed the Upper House with this alteration on July 12. On the 26th Russell gave notice in the Commons of his intention to meet the Lords half-way, and to accept a £12 franchise for counties instead of the one originally proposed, and an £8 franchise for the boroughs.²

His compromise was finally accepted by the Lords, and the Bill passed. In addition to those persons previously qualified to register and vote in county elections, occupiers of tenements rated in the last poor rate at a net annual value of £12 and upwards were now to be entitled to vote in elections for counties, subject to registration in accordance with the Act. Owners also of certain estates of the rated net annual value of £5 were given the suffrage, but no persons were entitled to vote in counties in

¹ The necessity for Irish Parliamentary reform was no dreamer's fancy. Bright declared in Parliament in 1848—"With regard to the Parliamentary representation of Ireland, having recently spent seventy-three days in an examination of the subject, while serving as a member of the Dublin Election Committee, I assert most distinctly that the representation which exists at this moment is a fraud; and I believe it would be far better if there were not representation at all, because the people would not then be deluded by the idea that they had a representative Government to protect their interests."

² Appendix LVIII B, extract from speech by John Bright.

respect of tenements in virtue of which they might be entitled to vote in boroughs. In boroughs, occupiers rated in the last poor rate at £8 and upwards were entitled to vote, subject to registration and certain limitations laid down in the Act. The polling at contested elections was to continue in counties for two days only, and in cities and boroughs for only one day; whilst the returning officer was to provide booths so that not more than 600 voters should poll at each booth for a county, and 200 for a city or borough. Russell's measure thus practically conferred three new franchises on the Irish people, namely a £12 rating occupation franchise in counties, a £5 freehold occupation in counties, and an £8 rating occupation franchise in boroughs. Its effect was immediately visible. The number of electors under the Reform Act in 1832 was 98,857, but by January 1, 1850, the electorate had fallen to 61,036—27,180 for the counties and 33,856 for the cities and boroughs. On January 1, 1851, the number of electors registered under Russell's Act were 163,546—135,245 in the counties and 28,301 in the cities and boroughs. Russell's Bill, therefore, was a distinct step forward on the path of Irish reform. Up till this time the system of representation in Ireland had been a farce, for, whilst in Great Britain the electors were 28 per cent. of the adult male population, in Ireland they had been less than 2 per cent. This new Act raised the percentage to about 10.

For the next sixteen years the subject of the franchise in Ireland was allowed to rest, but in 1866 a Bill was introduced by Lord Russell's Government, proposing to lower the franchise in the boroughs from an £8 to a £6 rating occupation, whilst permitting the county franchise to remain unaltered. This proposal, however, was ultimately withdrawn. In 1868 the Tory Government, having meanwhile safely steered their English Reform Bill through Parliament, introduced an Irish Bill as a complement to it. The franchise in boroughs was to be lowered not from £8 to £6, as proposed by the Whigs in 1866, but from £8 to £4, and a lodger franchise of £10 annual value was to be created. No change was to be effected in the county franchise, and, although several attempts were made to lower it, they were all defeated, Colonel French's amendment for a substitution of an £8 for the £12 franchise being rejected by a Government majority of 36. This Bill, which eventually passed into law, was the most meagre of reforms, for it not only left the county franchise exactly where it stood—namely at £12—but made no provision whatever for the redistribution of seats. Thus whilst about 170,000 additional votes swelled the electorate of the English county constituencies after the passing of the Reform Bill of 1867, none were added to the county constituencies in Ireland; moreover only 9,000 votes were added to the borough

constituencies in the latter country, whilst there was an increase of 400,000 in the English ones.

In 1872 the Ballot Act was passed for the whole United Kingdom. This question had long been made a matter for agitation. As early as 1708 Addison¹ mentioned in a letter that the House of Commons were engaged in a project for deciding elections by balloting. The matter then seems to have been dropped until 1815. In 1831 Russell found it necessary to apologize for the omission of a provision for balloting in the Reform Bill. Two years later, in 1833, Grote, the historian of Greece, brought the question forward in Parliament, but could only muster 106 supporters. Year after year, with the same indomitable persistence with which he had conducted his historic researches, did he renew his attempts in Parliament, and in 1839 he had 216 supporters at his back. In 1842 Ward adopted the question, and from 1848 Henry Berkeley, in his turn, made it his own. In the latter year his motion was carried by a majority of 5, but then the tide turned, and in 1849 it was defeated by a majority of 51, in 1852 by one of 102, and in 1860 by one of 107. It took twelve more years to gain the reform. The ballot was not exclusively the darling theme of a few impracticable theorists. It had been one of the points of the "people's charter," and the one to which they had perhaps attached the greatest importance. Russell had always opposed it, and Gladstone likewise had looked upon it with disfavour, but the latter was brought over to the conviction of the advisability of the measure by the evidence of the committee appointed in 1868 to consider the subject. By the Bill, which was introduced by Forster² in 1872, the system of secret voting was established throughout the United Kingdom, and the public nomination of candidates and the declaration of the poll were abolished. The Act was to remain in force until the close of the year 1880.

James Bryce, who in later years became Chief Secretary, declared this measure to be "the true beginning of Parliamentary life in the Irish counties" and "to mark a turning-point in Irish history."³ This is probably an exaggerated estimate, for the effect of the ballot in its influence in producing independent votes in Ireland turned out to be very small. The power of the priesthood sapped the juices of political conscience, and in cases where the secret sentiments of the voters were suspected, the latter were continually induced to pass themselves off as illiterate, in order that they might vote openly in the presence of their priest. Thus, in a country where the means of elementary educa-

¹ Joseph, the poet and essayist.

² William Edward Forster (1818-1886). In 1872 he was President of the Council.

³ Quoted from the Introduction to *Two Centuries of Irish History*,—an interesting contribution to Irish bibliography.

tion were as comparatively plentiful as in Great Britain, more than one elector out of every five at the General Election of 1892 professed himself an illiterate, and out of 395,024 votes polled, according to a Parliamentary return of February 20, 1893, the result of a motion by Mr. Webster, 84,919 were set down as illiterates—a vast and incomprehensible proportion on any other supposition, seeing that out of 4,192,012 votes polled in Great Britain only 50,686 were classed as illiterate.¹

¹ In 1895 the total number of votes polled in Ireland was 220,506, 40,357 of the voters being illiterates; whilst the numbers in England were 3,190,826 votes and 28,521 illiterates, and in Scotland 447,591 votes and only 4,062 illiterates. In the General Election of 1906 the illiterates who voted in England and Wales numbered 19,758 out of a total poll of 4,880,073. In Ireland 12,510 illiterates voted out of only 135,282 votes polled.

CHAPTER XII

DISESTABLISHMENT OF THE IRISH CHURCH, 1869

"You call it a Missionary Church ; if so, its mission is unfulfilled. As a Missionary Church it has failed utterly. Like some exotic brought from a far country with infinite pains and useless trouble, it has kept alive in an ungrateful climate and ungenial soil. The curse of barrenness is upon it—it has no leaves, it bears no blossoms, it yields no fruit. 'Cut it down ; why cumbereth it the ground ?'"—ROBERT LOWE, in the House of Commons.

"In England people altogether under-rate the potency of the old hatred of the Saxon. Can anything be more disheartening or unsatisfactory ? The heart of the people is against us, and I see no prospect of any improvement within any time that can be calculated. You will say, 'What is the use of this jeremiad ?' I think it is of this use : the next best thing to curing a disease is fairly to look the evil in the face, and not deceive oneself into crying 'peace' where there is 'no peace.'"—LORD KIMBERLEY to Lord Clarendon, November 27, 1865.

THE Established Church in Ireland may be said to have finally started upon its inglorious career in the year 1560, when a packed and obsequious Parliament was convened by Elizabeth in Dublin for the purpose of declaring her pious Majesty the Supreme Head of the Irish Church. During the reign of James I a considerable portion of the confiscated lands of the Irish chiefs were bestowed upon this new nurseling, and thus feathered it strutted forth, to the great delight of Catholic-hating men, the endowed Protestant Establishment. The state of this Church after its digestion of unearned revenue for over two centuries, had it not been desperately significant of a lamentable absence of statesmanship in the rulers of Ireland and the sense of what was expedient and just in the government of men, would have been exquisitely humorous, worthy of the pen of Cervantes, or Rabelais, or Voltaire, or the great author of the *Provincial Letters*, or of any other writer who could have relished the jest and handed down to posterity the inimitable foolery of the ludicrous, hypocritical, incurably barren Established Church in Ireland.

Whilst the population of that country was declared to be 5,788,415 by the Census Commissioners of 1861, the members of the Established Church numbered but 693,357, or less than one-eighth of the total roll of human units ; the number of the Roman Catholics being 4,505,265, or about ten out of every thirteen of the whole Irish people. But to make up for lack of number the

Irish Church determined to show its zeal. Thus there were 114 benefices, with a grand revenue of £18,735, in none of which did the Church membership exceed twenty-five, whilst five of the benefices had only one member apiece. Moreover, in 199 out of 2,424 parishes there was not a single Churchman, respectable or otherwise, to fall upon his knees and wish himself out of Ireland. In 1861, in the united dioceses of Cashel, Emly, Waterford, and Lismore the total population was 370,978; but of these only 3·7 per cent. were Anglicans, whilst the Catholics were 95·6 per cent. of the whole. In the same diocese of Cashel various benefices offered a fair example of the unconcealed anomalies of the Established Church. That of Fethard had an annual value of £1,065 a year, but there were only 197 Anglicans, whilst the Catholics numbered 5,754; that of Thurles had an annual value of £950, with 207 Anglicans and 7,334 Catholics; that of Ballinlanders one of £397, with only 28 Anglicans and 4,300 Catholics; that of Tipperary one of £908, with 229 Anglicans and 7,611 Catholics; that of Killenaule one of £845, with 155 Anglicans and 4,730 Catholics; and that of Athassell one of £674, with 3,226 Catholics and only 117 Anglicans. Sixteen other benefices in the same diocese had no church at all; such, for instance, as Killardy, with an annual value of £202, and with only seven Protestant inhabitants, the incumbent being an absentee, who paid a curate £10 a year for performing the duties; Kilmacleague, attached to the Chancellorship of Waterford, with an annual value of £380 10s. 5d., with seventeen Protestants, the incumbent being an absentee; Reisk, with an annual value of £63, with but one Protestant, the incumbent being an absentee; Modeligo, with one of £112 10s., with six Protestants, the incumbent being an absentee; Lisgenan, with one of £150, with thirteen Protestants, the incumbent being an absentee; Templemichael, with one of £98 9s., with only three Protestants, the incumbent being an absentee; Fenoagh, with one of £145 7s. 9d., with twelve Protestants, the incumbent being an absentee; and Mora, with one of £195, with only three Protestants, the incumbent again being an absentee, who paid a curate £15 a year, or £5 a head, for performing the ungrateful duty of coaxing the devil out of these three unprofitable churchmen. Year after year did these prelates of the Pale tax the patience of their Creator, and year after year lay claim to a monopoly of grace with this increasing load of sin.

In seventy-three out of the 143 parishes in the diocese of Ossory there were only 330 Anglicans, twenty-five of the seventy-three having actually none at all, six of them only one each, five of them only two each, one with only three, five with only four each, six with only five each, three with only six each, two with only seven each, and so on with the remainder in the same

easy gamut of admirable uniformity. In the dioceses of Tuam, Killala, and Achonry in 1866 the percentage of Anglicans was only 3'37, whilst that of Catholics was 96'07 of the population. In the dioceses of Limerick, Ardfert, and Aghadoe the Anglican percentage was 3'5, whilst the percentage of Catholics was 95'6. In the diocese of Limerick in 1860 there were twenty-two parishes with no Anglican at all, four with only one each, four with two each, the same number with three each, five with four each, four with six each, one with eight, six with nine each, three with ten each, four with eleven each, six with thirteen each, two with fourteen each, and three with fifteen Anglicans each ; making a total of only 360 Anglicans for sixty-eight parishes, or an average of 5'3 Anglicans for every parish. In the diocese of Dublin in 1866, out of seventy-eight parishes, nineteen were without a single churchman, one boasted of one Churchman, two had two each, two had four each, six had five each, four had six each, three had seven each, two had eight each, two had nine each, two had ten each, three had eleven each, one had twelve, five had thirteen each, three had fourteen each, one had fifteen, four had sixteen each, two had seventeen each, three had eighteen each, five had nineteen each, one had twenty-one, two had twenty-two each, three had twenty-four Churchmen each, and one, particularly favoured by the vigilance of Providence, had a quarter of a hundred. That is to say, in seventy-eight parishes in the diocese of the great capital of the Pale there were only 719 Anglicans, or on the average a little over nine Anglicans to a parish. And yet this was the Church of the Establishment. For this over-fed skeleton the education and progress of the majority were to starve. For these priestly absentees four and a half million Catholics were asked to change their creed.

During the terrible years of 1845-7 great efforts had been made, as we have seen, to convert the Catholics to the rival faith. Bread and Protestantism were offered to the starving in the same hand. Mad with hunger, they must take both, or die of famine. But in spite of this the proselytes made very little headway. In 1672 the Protestants were to the Catholics as 45 to 120 ; in 1730 as 60 to 120 ; in 1784 in the same proportion as in 1730. By 1801 the Protestants had dropped to the proportion of 40 to 120 ; in 1834 they were as 30 to 120 ; and in 1861, after the fearful visitation of 1845-7, when the peasantry had gone down like reeds before a gale, and the famine had decimated the Catholic population, but practically left unscathed the prosperous members of the Established Church, the proportion of Protestants to Papists remained the same as in 1834—namely, as 30 to 120. Again, in 1834, when the religious census was taken, the members of the Established Church were found to be a little

less than a ninth of the population; and in 1861 they were a little less than an eighth; whilst in several parishes in the latter year the total number of Anglicans was actually found to be less than that of the alleged converts to the Protestant faith. Moreover, when it is considered that emigration followed on the heels of the famine of 1847, and that the Catholics left their native land in far greater proportion than the Protestants, the progress from a ninth to an eighth between the years 1834 and 1861 will be seen to be evidence of much greater progress on the part of the Roman Catholic religion and of decline in the advance of Protestantism, than might have been imagined under ordinary circumstances; for had these two anti-Catholic elements been absent, the proportion of Protestants to Catholics would not only not have risen, but most certainly have sunk.

The anomalies of the Irish Church had impressed themselves upon a popular, if over-rated¹ writer and politician many years before. Speaking in 1844 Macaulay had said—

"I, sir, think the Established Church of Ireland a bad institution, I will go farther. I am not speaking in anger, or with any wish to excite anger in others; I am calmly and deliberately expressing, in the most appropriate terms, an opinion which I formed many years ago, which all my observations and reflections have confirmed and which I am prepared to support by reasons, when I say that, of all the institutions of the civilized world, the Established Church of Ireland seems to me the most absurd. . . . Who ever heard any of her advocates say, 'I defend this institution because it is a good institution; the ends for which an Established Church exists are such and such; and I will show you that this Church attains those ends?' Nobody says this. Nobody has the hardihood to say it. What divine, what political speculator who has written in defence of ecclesiastical establishments, ever defended such establishments on grounds which will support the Church of Ireland? What panegyric has ever been pronounced on the Churches of England and Scotland, which is not a satire on the Church of Ireland? What traveller comes among us who is not moved to wonder and derision by the Church of Ireland? What foreign writer on British affairs, whether European or American, whether Protestant or Catholic, whether Conservative or Liberal, whether partial to England or prejudiced against England, ever mentions the Church of Ireland without expressing his amazement that such an establishment should exist among reasonable men? And those who speak thus of the Church speak justly. . . . In one country alone is to be seen the spectacle of a community of eight millions of human beings, with a Church which is the Church of only

¹ Compare Macaulay's literary style with that of Burke, Junius, Swift, Newman, or Matthew Arnold, and the difference will be seen at once. De Quincey, Hazlitt, and Ruskin suffer from much the same fault as Macaulay. Their writings are a beautiful mosaic: they compel admiration, but are wanting in deep feeling. There is plenty of word-painting and ingenuity, but no soul or pregnancy. In fact, their work throughout leaves the impression of monstrously clever artifice, and very little else.

eight hundred thousand. . . . All the arguments which incline us against the Church of England, and all the arguments which incline us in favour of the Church of England, are alike arguments against the Church of Ireland ; against the Church of the few ; against the Church of the wealthy ; against the Church which, reversing every principle on which a Christian Church should be founded, fills the rich with its good things, and sends the hungry empty away. . . . A Church exists to be loved, to be revered, to be heard with docility, to reign in the understandings and hearts of men. A Church which is abhorred is useless or worse than useless ; and to quarter a hostile Church on a conquered people, as you would quarter a soldiery, is therefore the most absurd of mistakes."

Macaulay and Lowe¹ were not the only eminent men who thought so. Cobden had called the Irish Church in 1863 at Rochdale—"that great and glaring abuse of the system of religious equality"; whilst Brougham had denounced it with the unsparing force of his energetic phraseology—as the foulest abuse in any civilized country. But it still cumbered the ground.

In 1843 Ward, the member for Sheffield, had moved in the House of Commons to cut down the revenues of the Irish Establishment and to endow the Catholic Church, but his proposal had been rejected. The following year he moved for a Committee of the House upon the existing state of the temporalities of the Church of Ireland, but was again defeated. In 1846 and 1847 Lord John Russell, on being questioned, declared in the House that it was not the intention of the Government to disestablish the Irish Church or tamper with its privileges. In 1849 Bernal Osborne took up the question, and moved for a committee to consider the condition of the Establishment, but Ministers opposed the proposal and it was consequently beaten by a majority of 67. Feeling was still very bitter in Ireland between the followers of the two religions. The Catholics were unable to forget the persecutions of the past, which rankled in their bosoms like an unhealed wound ; and the Orangemen, who still smarted from the loss of their former power, lost no opportunity of reviving the memory of their old supremacy. Thus altercation and hatred were the fruit of disappointed tyranny on the one side and the gnawing remembrance of insult and cruelty on the other ; and the result again of these were frequent petty outbreaks between the two parties. Such a case occurred in July 1849. The so-called Battle of Dolly's Brae, that took place in that month, was a skirmish between Ribbonmen and Orangemen. The Orangemen of Down had arranged to pay their grand-master, Lord Roden, a visit at his seat, Tollymore Park. Their road ran through a defile known as Dolly's Brae, and the pass round which many

¹ Robert Lowe, Viscount Sherbrooke (1811-1892).

Roman Catholics dwelt had been the traditional battlefield of Orangemen and Ribbonmen. The Orangemen with their banners and lilies succeeded in passing the defile without any conflict, but on their return home, shouting anti-Catholic songs and exultant at the apparent reluctance of the Catholics to meddle with them, hostilities broke out. Four Ribbonmen were shot dead and forty others wounded, and the Orangemen proceeded to sack and burn the houses of their opponents and to murder at least one inoffensive person. This incident led to the prohibition of party processions.

In 1854 William Shee¹ introduced a Bill to suspend 395 benefices, where the Church population was very small, and to reduce the incomes of the Bishops and other ecclesiastical dignitaries, so as to diminish the revenues of the Establishment by £169,000 a year, which sum he proposed to divide between the Catholic and Presbyterian Churches; but the Bill was opposed by Ministers and rejected, after a debate of three nights, by a majority of 86. The question remained more or less dormant until 1861, when the census of that year opened men's eyes to this Irish nuisance. In the interval, however, Spooner and Newdegate² kept the question alive by an annual motion for inquiry into the working of Maynooth College, although a Royal Commission had reported in 1855 that any interference with the arrangement of 1845, when an increased grant had been made to the College, was undesirable.

A "National Association," led by Catholic bishops, had meanwhile been formed in Ireland by disciples of the "Young Ireland" Party. It demanded the Disestablishment of the Irish Protestant Church, and allied itself with the "Liberation Society" of the English Dissenters—a league of enthusiasts who aimed at the Disestablishment of all Churches. This last coalition was due to the policy of John Bright, who understood the Irish land question better certainly than any other man of equal mark, and who was seeking Irish support for the various reforms he was advocating. By this time Russell had also made up his mind that the knell of the Irish Establishment was about to sound, but, like the second Pitt, was of opinion that disendowment should be linked with a measure providing for the support of the Catholic priesthood. Gladstone, however, was opposed to this latter principle of "concurrent endowment," and plainly intimated that the Irish Church was not only doomed to disestablishment and disendowment, but that grants to other Irish religious communities, such as the *Regium Donum* and Maynooth grant, were

¹ Sir William Shee (1804–1868). He was the first Roman Catholic promoted to the English judicial bench since the Revolution.

² Charles Newdigate-Newdegate (1816–1887), member of Parliament for North Warwickshire.

destined to be withdrawn. For it had become apparent as early as 1865 that Gladstone was prepared to bring forward a measure of disestablishment as soon as he could marshal sufficient supporters for the purpose. On March 15, 1865, Dillwyn moved—"That in the opinion of the House the position of the Irish Church Establishment is unsatisfactory, and calls for the early attention of Her Majesty's Government," and although the Government opposed and defeated the motion, Gladstone spoke in favour of the principle contained in it, and only rejected the proposal on the score of its being premature. It was during the discussion in the House of Commons that Mountstuart Grant Duff observed—"This debate will be historical, for in the speech of the Chancellor of the Exchequer I see the beginning of the end of the great Irish difficulty."¹

In 1865 Gladstone had voted, as we have seen, against a Radical member who had moved that the case of the Irish Church "called for the early attention of the Government"; for, although he agreed with the mover on the merits of the motion, he did not consider that the time had yet come to open the discussion. In fact, in the summer of that year he wrote to the Warden of Glenalmond that the question was "remote and apparently out of all bearing on the practical politics of the day." In the following year, when he was leader of the House of Commons, he supported Lord Russell, the Prime Minister, in directly negating a motion against the Irish Church, since to move the previous question virtually implied an engagement to take the matter up on some early occasion, and that, as he said, he was not prepared to do. Following upon this, Grey submitted to the Upper House in 1866 certain resolutions recommending the endowment of the Roman Catholic and Presbyterian Churches and the reduction of the revenues of the surfeited Establishment; but the proposals were looked upon with great disfavour by the Catholic clergy in Ireland and the Protestants in England, and they consequently fell to the ground. Any measure of charity on behalf of the Irish Roman Catholic clergy was necessarily unpopular. They were regarded as the black sheep of Irish discontent, and their religion was supposed to be continually subordinated to their hatred of the English race and to political schemes for the rupture of the union between the two countries. But this judgment was an unfair one, prompted by the jealousy of members of the Establishment, who saw with envy the devotion of the Catholic peasants to their priests and their love for their religion, a contrast full of humiliation to the languid indifference of many Irish Anglicans to the doctrines and ministers of their own Church.²

¹ Appendix LVIIIc, extract from letter written by W. E. Gladstone to Lord Lyttleton.

² Appendix LVIIID, extract from Lord Lifford's *Plea for Irish Landlords*.

Meanwhile the Conservative Government with Lord Derby¹ at its head succeeded to power. On the 7th of May, 1867, Grey again brought forward a motion in Parliament to the effect "that this House will . . . resolve itself into a committee to consider the temporalities and privileges of the Established Church in Ireland," but he was beaten by a majority of twelve. Gladstone told the House that the time could not be far distant when Parliament would have to look the position of the Irish Church fairly and fully in the face. At Southport, on December 19, he proclaimed an Irish policy on Irish lines, that should embrace the promotion of higher education, the reform of its religious institutions, and the adjustment of the rights of the cultivator of the soil. Finally on March 16, 1868, he sounded the doom of the Irish Establishment in a speech on Maguire's motion for an inquiry into the state of Ireland in which he declared that—"In order to the settlement of the question of the Irish Church, that Church, as a State Church, must cease to exist." Although he was in opposition at the time, this announcement was looked upon as a death-blow to the Establishment and to the lazy comfort of the clerical absentees who clung to the latter like a swarm of flies to a rotten carcass. On the 23rd of March Gladstone gave notice of his three celebrated resolutions on the subject of the Irish Established Church—

1. That in the opinion of this House it is necessary that the Established Church of Ireland should cease to exist as an Establishment, due regard being had of all personal interests and to all individual rights of property.

2. That subject to the foregoing considerations, it is expedient to prevent the creation of new personal interests by the exercise of any public patronage, and to confine the operations of the Ecclesiastical Commissioners of Ireland to objects of immediate necessity, or involving individual rights, pending the final decision of Parliament.

3. That an humble Address be presented to Her Majesty, humbly to pray that, with a view to the purpose aforesaid, Her Majesty would be graciously pleased to place at the disposal of Parliament her interest in the temporalities of the Archbishoprics, Bishoprics, and other ecclesiastical dignities and benefices in Ireland, and in the custody thereof.

On April 30 the first resolution was carried against the Government by a majority of 65, but Derby and Disraeli refused to resign. On May 7 the other two were carried. After Gladstone's resolutions had been carried Disraeli advised the Queen to dissolve Parliament, but at the same time told her that if she thought it better he would tender his resignation.

¹ Lord Derby retired in 1868 and was succeeded by Benjamin Disraeli as Prime Minister.

This the Queen did not accept, and so he dissolved. Meanwhile on the 14th Gladstone asked leave to bring in a Bill "to prevent for a limited time new appointments in the Church of Ireland, and to restrain, for the same period, in certain respects the proceedings of the Ecclesiastical Commissioners." This measure, known as the "Suspensory Bill," was passed by the Commons, but rejected in the Upper House, where it was introduced by Lord Granville, by a majority of 95 on June 29. Parliament was then dissolved in November, and Gladstone was returned by the country at the head of a majority of 112. Disraeli resigned before the meeting of Parliament, and Gladstone was summoned to Windsor on December 5 and entrusted by the Queen with the formation of a government.^{1 2}

Before he brought in his Bill, many suggestions were made. Bishop Magee³ proposed to the Queen that the endowments posterior to the Reformation should be given to the Church, and those preceding it to the Roman Catholics, but Gladstone pointed out to her that this scheme had no chance of success in Parliament.

On March 1, 1869, the celebrated Bill for the Disestablishment and Disendowment of the Church of Ireland was introduced in the House of Commons.⁴ After much discussion the measure passed by a majority of 114, on May 31, from the storms of the Lower into the fury of the Upper House, whilst outside Parliament the baffled rage of the anti-reformers harmlessly spent itself in diatribe. Some of them even vomited treason. A certain Reverend Mr. Flanagan said—and his loyalty is exceedingly becoming—

"If they ever dare to lay unholy hands upon the Church, 200,000 Orangemen will tell them it never shall be. . . . Protestant loyalty must make itself understood. People will say, 'Oh, your loyalty is conditional,' and it must be explained as such. . . . We must speak out boldly and tell our gracious Queen that if she break her oath, she has no longer any claim to the Crown."

In the Upper House the Bill encountered the most violent and unreasoning opposition, Bishop Magee exhausting all his resources in fighting against the measure. The second reading was carried on June 19 by 33. Then the amendments began, and several were carried against Ministers, the most important of which were—

¹ Russell declined to join Gladstone's Cabinet on account of age, and Sir George Lewis declined for the same reason. Lord Halifax declined the offer of the Irish Viceroyalty. Bright and Lowe became members of his Government, the former as President of the Board of Trade and the latter as Chancellor of the Exchequer.

² Appendix LVIII, quotation from John Morley's *Life of Gladstone*.

³ William Connor Magee (1821-1891), successively Bishop of Peterborough and Archbishop of York.

⁴ Appendix LIX, extracts from speeches by W. E. Gladstone and John Bright.

1. The extension of the period after which the Act was to come into operation from January 1, 1871 to May 1, 1872.

2. The increase of the sum which was to be restored to the Church from ten to fourteen millions sterling.

3. The suspension of the distribution of the surplus for four or five years, and the control of its ultimate application by Parliament, instead of by the Executive Government and the Poor Law Commissioners of Ireland.

4. The appropriation of the surplus to religious purposes only; some of those purposes to be the maintenance of residences for the clergy of the Catholic and Presbyterian Churches—a scheme known as “concurrent endowment.”

The Bill with the Lords' amendments was returned to the Commons on July 12, 1869. Gladstone thereupon moved one by one the rejection of those amendments which involved the principle of concurrent endowment, the disposal of the surplus, or the postponement of the date of disestablishment, consenting, however, to give a sum of half-a-million in lieu of private benefactions, to readjust the commutation terms, and make other alterations involving a further gift of £280,000 to the Church. On July 16 the Bill, thus restored substantially to its pristine shape, was redelivered to the Lords; but on the 20th the latter once more excluded from the preamble by a majority of 175 to 93 the words that the Commons had replaced in order to declare the policy of Parliament on matters ecclesiastical in Ireland. For some while it seemed as though the deadlock was insoluble, and the Parliamentary crisis insurmountable. Gladstone, who was suffering from illness at the time, even thought of abandoning the measure. However, the purring and conciliatory Granville and others urged him to persevere, and his next step was to state to the Dean of Windsor his willingness to recommend further pecuniary concessions to the Irish Church to the amount of £170,000 or £180,000. But Disraeli, in an offer made to Granville through Lord Bessborough on July 18, suggested a concession of £900,000 or £1,000,000; whilst Archbishop Tait of Canterbury made even higher demands, and the Lords once more excluded from the preamble by 173 votes to 95 the words which precluded concurrent endowment. As a last resource Gladstone, aided by Granville,¹ turned to Lord Cairns² who had succeeded Lord Malmesbury in the leadership of the Tory opposition in the Upper House, and at last succeeded by dint of much tact and patience, combined with a judicious admixture of

¹ Granville George Leveson-Gower, second Earl Granville (1815–1891); at this time Secretary of State for the Colonies. He was a chatty and supple man of the world. For the part played by him in this emergency see Lord Edmund Fitzmaurice's *Life and Letters of Lord Granville*.

² Hugh McCalmont Cairns, first Earl Cairns (1819–1885), appointed Lord-Chancellor of England by Disraeli in 1868.

soft-sawder, in coming to terms with him and effecting a compromise. The first amendment was given up, and January 1, 1871, agreed upon as the date on which the Act should come into operation. With respect to the second, the sum of ten millions, which it was originally proposed to restore to the Church, was increased by £840,000. The first part of the third amendment, relating to the suspension of the distribution of the surplus, was given up; but the second part, regarding the application of the surplus, accepted. The fourth amendment was, like the first one, abandoned, the Government, however, agreeing that the surplus funds should be mainly applied to the relief of unavoidable suffering and calamity.

The distress of the monopolists at the passing of the Act was pitiable to behold. The floodgates of reform had at last been opened, and all the useless accumulations of the past were to be swept away. Some raved in private; others bellowed their fury where their fury was as harmless and ridiculous as themselves; others, again, assumed the garb of mediæval martyrs, who were suffering for a noble cause, and reaped the harvest of their tribulations in the soothing plaudits of their friends; and some few were ashamed to betray their mercenary chagrin, aware of the discredit of the Irish Establishment and the grim necessity for its interment.¹

Gladstone's measure was at length carried, and received the Royal assent on July 26, the debates upon it having taken up twenty-one days. By the provisions of the Bill, as it passed into law in 1879, the Irish Church was on January 1, 1871, to cease to be recognized by the State, and no longer "to rear its mitred front in Parliament." The Irish Ecclesiastical Commission was to come to an end, and to be succeeded by a new commission which was to carry out the transition from the established state of the Church to that of a free episcopal Church, analogous to the Episcopalian Church of Scotland. Previous to Disestablishment the Church's income had been £600,000, and its entire capital estimated at fourteen millions. By Gladstone's Act seven and a half millions, charged with the payment of annuities amounting to £596,000, were allotted to it by way of commutation, and half-a-million in lieu of private endowments. The Crown was to resign the right of appointing Irish bishops, and the latter were concurrently to lose their seats

¹ Lord Derby died with his last speech still chafing the ears of wiser men—

"My Lords, I am an old man, and, like many of your lordships, past the allotted span of three-score years and ten. My official life is at an end, my political life is nearly closed, and in the course of nature my natural life cannot be long. . . . If it be for the last time that I have the honour of addressing your lordships, I declare that it will be to my dying day a satisfaction that I have been able to lift up my voice against the adoption of a measure the political impolicy of which is equalled only by its moral iniquity."

In the House of Lords. The Union between the Churches of England and Ireland was to be formally dissolved; all Irish Ecclesiastical courts were to be abolished, and the Ecclesiastical law was to remain a voluntary compact until altered by the Disestablished Church itself.

The *Regium Donum*, which had up till that time been allowed to the Presbyterian Church, as well as the grant to Maynooth for the Irish Catholic priesthood, were no longer to be charges defrayed by the State, but compensation for the two bodies was to be met out of the property of the Disestablished Church. The institution of the *Regium Donum* was of long standing. The pastors of the Scotch colony of 1610 had been put in possession of the titles of their parishes, and enjoyed them until the death of Charles I, when, owing to their refusal to accept the new Government, the Commonwealth stopped their income. Henry Cromwell, however, allowed the body £100 a year, and this sum was increased out of the Secret Service money by Charles II in 1672 to £600, but towards the end of his reign, and during that of James II, the grant was discontinued. William III renewed the grant, increasing it to £1,200, but it was later on again withdrawn, and once more restored on the accession of George I, and increased to £2,000. In 1785 it was still further increased to £2,200, and in 1792 to £5,000. In 1803 a measure was carried through Parliament by Castlereagh, which quintupled the Presbyterian dole, and by necessarily increasing the dependence of the Presbyterian clergy on the State strengthened the ties that bound Ulster to Great Britain. The *Regium Donum* had up till that time been handed over to a Commission of the Presbyterian body who apportioned an equal sum, amounting usually to £16, to each minister. The new Act provided for three scales of payment, rising from £50 to £100; but each recipient was to receive his share, not from the Synod, but from the State, and the gift was to depend upon the assurance that he was a loyal subject. In 1852 the total yearly grant to nonconforming ministers in Ireland had amounted to £38,561.

Provision was also made in Gladstone's Bill to enable the Church to reorganize itself. It was invested with the fullest powers of concerted action in Provincial Synods and a general Synod, and given the right of almost complete self-government. A representative body was also attached to it, charged with the duty of administering its funds and protecting its interests. Moreover, it was to retain its cathedrals and parish churches, and to be able to acquire its glebes and parochial houses on easy terms. Vested interests were to be respected, the ministers of the Disestablished Church being entitled to receive their former incomes from the funds of the Church set apart for the purpose. As this arrangement, however, would have led to difficulty and

delay, a "Commutation Fund" was created by advances made by the State on the revenues of the Church in order to meet these claims. After the provision thus made for vested interests, the surplus funds of the Church, still a sum of many millions sterling, were to be employed in compensation for the withdrawal of the *Regium Donum* and the Maynooth grant; and the residue was to be appropriated from time to time to the relief of unavoidable suffering and calamity. Power was also taken to enable clergymen who wished to leave Ireland and pursue their callings elsewhere, to compound for their incomes, whilst it was provided that the lands of the Church should be, as far as possible, sold to the tenants occupying its estates, the purchase-money being in part secured or advanced by the State in furtherance of a policy recently proposed by Bright.

The body appointed to represent the Disestablished Church was incorporated in 1870, and up till about 1888 had received, besides other sums, about nine millions sterling for commuted salaries, and half-a-million in lieu of private endowments. A sum, moreover, of £777,888 had been paid to lay patrons, whilst the compensation for the *Regium Donum* and other disbursements to Nonconformists were fixed at £769,599, and that for the Maynooth grant at £371,331. Out of the residue Parliament had appropriated a million to intermediate education in Ireland, £1,300,000 to a pension fund for national school-teachers, £1,271,500 for distress works, £950,000 under the Arrears of Rent Act of 1882, and a quarter of a million for sea-fisheries. In the disposal of Church lands tenants were given the refusal, and could leave three-fourths of the purchase-money on mortgage at 4 per cent. The ordinary tenants of the Church in 1888 numbered 8,432, and up to November 1, 1880, 6,057 of these had become owners of their holdings at an average price of 22½ years' purchase. In 1881 the powers and property of the Commissioners were transferred to the Irish Land Commission.

A striking tribute to Gladstone's ability in framing this complicated measure was paid by the Commissioners under the Bill—

"It might have been expected that in administering a measure so intricate, and which dealt with such a variety of interests, we should have discovered many omissions, and that cases would have constantly arisen that were unprovided for in its clauses. Without asserting that there were no such cases, we can state that they were extraordinarily few in number, and that the skill and foresight with which the statute was drawn up were very striking as it came to be practically carried out."

The chief flaw in the measure was that it made no provision

for the Irish Catholic clergy out of the huge fund which the disendowment of the Protestant Church placed at the disposal of the Government of the day. No steps were taken to carry out the plan of endowment which Pitt, before he turned his coat, had intended to make a part of the Act of Union, which O'Connell had expressly approved, and which had been advocated by nearly every statesman of mark from 1800 to 1868, and by no one more distinctly than Russell himself. But the reform, although incomplete, had been a giant's work—one of the labours of Hercules—and it was no pleasant task, this cleaning out of the Irish stable. A curious transformation takes place when a great actor steps on the stage. The principal figures dwindle to ordinary stature, whilst the subordinate actors, despised and unnoticed before, seem to rise to the occasion. They all meet upon one level, and he stands above them and dominates the play. The scenery is shifted, the passions of a century are compressed into a day, and so rapid is the movement, so stupendous the performance of the central worker, that the world seems to wait upon him, not he upon the world. So was it with Gladstone. He uprooted this stubborn weed that had poisoned the ground for two centuries. It had waited all that time for its destroyer, and he had come.¹

¹ Appendix LX, Irish Disestablished Church in 1901.

CHAPTER XIII

LAND ACT OF 1870

"These poor people have been accustomed to as much injustice and oppression from their landlords, the great men, and those who should have done them right, as any people in that we call Christendom. Sir, if justice were freely and impartially administered here, the foregoing darkness and corruption would make it look so much the more glorious and beautiful."—OLIVER CROMWELL in 1649.

"The landlord may become a direct oppressor. He may care nothing for the people, and have no object but to squeeze the most that he can out of them, fairly or unfairly. The Russian Government has been called despotism tempered with assassination. In Ireland for many years landlordism was tempered with assassination. . . . Every circumstance combined in that country to exasperate the relations between landlord and tenant. The landlords were, for the most part, aliens in blood and aliens in religion. They represented conquest and confiscation, and they had gone on from generation to generation with an indifference for the welfare of the people which would not have been tolerated in England and Scotland."—JAMES ANTHONY FROUDE (*On the Uses of a Landed Gentry: in Short Studies on Great Subjects*).

THE Encumbered Estates Act of 1849 soon began to bear its natural fruit. Even the rulers of Ireland, past masters as they were in the devices of combination, could not grow figs from thistles; out of *their* breasts they could not expect milk to flow. In October 1849 the Callan Tenant Protection Society had been founded, and on May 11, 1850, a conference was summoned in Ireland to devise some specific measure of land tenure reform and some plan of united action for its accomplishment. The same year the Irish Tenant Right League was formally established, and its members drew up a series of demands, many of which were eventually conceded by the Land Acts of a later year. These were embodied in a formula known as the "Three F's," which, being interpreted, signified fair rent, fixity of tenure, and free sale; that is to say, a mode of land tenure analogous to the one already in existence in Ulster, and known as the Ulster Custom. By the first F, rent was to be adjusted, not by voluntary contract, but according to the figure which the State or the arbitrating authorities might deem to be equitable; by the second, the tenant was to remain in undisturbed possession of his farm as long as the "fair" rent was paid; and by the third head of this Irish hydra, so terrible a portent to Irish landlords, he was to have the right to sell his farm, under certain conditions, and to appropriate the proceeds. The League also aimed at a partial discharge of

arrears of rent which had accumulated enormously since the great famine of 1845-7. There was a League for the North and a League for the South of Ireland. The leaders of the agitation were largely composed of Catholic priests; but the chief directors of the Southern League were Duffy, who had been conspicuous as a member of the "Young Ireland" Party, and Frederick Lucas,¹ an English Catholic; whilst the leaders of the Northern League were Dr. M'Knight, a Presbyterian journalist, and the Rev. John Rogers, Moderator of the General Assembly in the North.²

The Irish peasant was in need of sympathy. While the London ruffian was beating out his victim's brains for a shilling's-worth of gin, the Irishman was driven to murder from excess of agony of mind and body. So completely were the Irish tenants in the landlords' power, that the very name of liberty must have sounded strange in their ears. On many estates the "rules of the estate" pressed heavily upon the population. In some cases, no tenant was allowed even to marry, or to give any of his family in marriage without a written licence from the agent. On others two families were not permitted to live under the same roof, nor visitors or lodgers to be harboured at the penalty of eviction, the reason for these rules being the desire of the compilers of the Irish *Rhetrae* to prevent the multiplication of the people, and in this manner to keep down the poor rate. An instance of this custom was brought to the notice of the *Times* newspaper by "S. G. O." in 1851. He wrote—

"On the estate of . . . there lived, a few months ago, a man and his wife, Michael and Judith Donoghue; they lived in the house of one Casey. An order had gone forth on the estate (a common order in Ireland) that no tenant is to admit any lodger into his house. This was a general order. It appears, however, that sometimes special orders are given, having regard to particular individuals. The Donoghues had a nephew, one Denis Shea. This boy had no father living. He had lived with a grandmother, who had been turned out of her holding for harbouring him. Denis Shea was twelve years old—a child of decidedly dishonest habits. Orders were given by the driver of this estate that this child should not be harboured upon it. This young Cain, thus branded and prosecuted, being a thief—he had stolen a shilling, a hen, and done many other such crimes as a neglected twelve-year-old famishing child will do—wandered about. One night he came to his Aunt Donoghue, who lodged with Casey. He had the hen with him.

"Casey told his lodgers not to 'allow him in the house,' as the agent's drivers had given orders about it. The woman, the child's

¹ Frederick Lucas (1812-1855), elected member for the county of Meath in 1852.

² Appendix LXI, quotations from the *Times*, etc.

aunt, took up a pike, or pitchfork, and struck him down with it; the child was crying at the time. The man, Donoghue, his uncle, with a cord tied the child's hands behind his back. The poor child after a while crawls or staggers to the door of one Sullivan, and tried to get in there. The maid of Sullivan called to Donoghue to take him away. This he did; but he afterwards returned with his hands still tied behind his back. Donoghue had already beaten him severely. The child seeks refuge in other cabins, but is pursued by his character—he was so bad a boy, the fear of the agent and the driver—all were forbidden to shelter him. He is brought back by some neighbours, in the night, to Casey's, where his uncle and aunt lived. The said neighbours tried to force the sinking child in upon his relations. There is a struggle at the door. The child was heard asking some one to put him upright. In the morning there is blood upon the threshold. The child is stiff dead—a corpse, with its arms tied; around it every mark of a last fearful struggle for shelter—food—the common rights of humanity.

“The Donoghues were tried at the late Kerry assizes. It was, morally, a clear case of murder; but it was said, or believed, that these Donoghues acted not in malice to the child, but under a sort of sense of self-preservation that they felt to admit him was to become wanderers themselves. They were indicted for manslaughter, and found guilty.”

How indiscreet must have been the tyranny of the task-masters, when, out of fear of these men's dreadful power, an orphan, a child of twelve, half-dead with exhaustion and ill-usage, was left a whole night upon its uncle's doorstep with its little arms tied behind its back, to die before morning of the effects of its brutal treatment! The judge who passed sentence on the Donoghues addressed them thus—

“The poor boy whose death you caused was between twelve and thirteen years of age. His mother at one time held a little dwelling, from which she was expelled. His father was dead. His mother had left him, and he was alone and unprotected. He found refuge with his grandmother, who held a farm, from which she was removed in consequence of her harbouring this poor boy, as the agent on the property had given public notice to the tenantry that expulsion from their farms would be the penalty inflicted on them if they harboured any persons having no residence on the estate. This poor boy was then left without a house to shelter him or a friend to assist him. He was an unhappy outcast. . . . He went to the house of a man named Coffey, whose wife humanely gave him a little food, but she was afraid to shelter him in her house, as the agent had given orders that distress for twelve months' rent would be made on any tenant who should harbour any persons not resident on the estate and that they would also be expelled from their farms. He is turned adrift to the world, friendless and unprotected. He came to Casey's house, where you, his uncle and aunt, resided. He applied for relief as he was in a state of destitution. Casey, with whom you lodged, desired you to turn him from the house, as he was afraid the orders of the agent would be

enforced against him. . . . You committed the offence, not with the desire to inflict death, but influenced by fear that Casey would be expelled from his holding. The poor child is turned out of doors; and the next proof was, that you, Judith, took a pike-handle and beat him violently with it while lying on the ground. He implored of you to spare him, and he promised to leave the place. He raised himself from the ground, and bound, as he was, went tottering along from house to house, but there was no refuge for the wretched outcast. As a last resource he turned his steps to Coffey's house, but some of the neighbours threatened to tell the agent if Coffey harboured him. Coffey had, however, the humanity to take him to Casey's house, where you resided. He fell twice from weakness and the result of the injuries you inflicted on him. He is supported to the house, and a scene ensued which I find difficult to describe. The door was opened by you, Judith, and a struggle ensues. Coffey and another man endeavoured to force the boy in—you keeping him out. He bleeds profusely. The threshold is smeared with blood. You succeed in keeping him out; and he, unable to walk, rolls himself along the ground, till he gets to the wall, where he remains. Night passes over him, and on the following morning he is found by the neighbours cold, stiff, and dead. . . . I do not think, however, that you inflicted the injuries with an intention to cause death, it was through fear that the threat would be carried out against Casey. Casey acted under the influence of the threats of those in authority, but such is no justification for the offence. It forms no defence, that such an order was given as that which appeared in evidence on the trial. For an order from the execution of which death ensues is not only not sanctioned by law, but is directly at variance with it."

It seems a pity that no special law was in existence at the time to meet such a case. A law might have so easily been drawn up for the guidance of starving tenants on Irish estates, without unnecessarily wounding the susceptibilities of landlords.

In 1850 a proposal had been made, which, if carried out, would certainly have extracted a thorn from the side of Ireland. In that year Russell brought forward a Bill for the abolition of the office of Lord-Lieutenant, and the appointment in its stead of a fourth Secretary of State for Ireland. The matter had already been brought before the notice of Parliament by Joseph Hume, first of all in 1823 and again in 1830. At length, in 1847, Lord Clarendon, in accepting the Viceroyalty, stipulated that the Whig Government should abolish the anomalous office at the earliest opportunity, and Russell's Bill was a fulfilment of the Governmental promise. The measure was supported zealously by Hume and hesitatingly by Peel, and the second reading carried by 295 to 70, but the Bill was not proceeded with. The change was too novel, and men's opinions had not matured in regard to it either one way or the other. Had the measure

been limited to the abolition of the Viceroyalty and the reconstruction of the Irish Department on lines more attuned to what was locally required, it would probably have passed, but it apparently aimed at the removal of everything like local administration, and the centralization of the whole departmental authority in London. In 1857 and 1858 it was again introduced by Roebuck,¹ but his motion was on each occasion rejected, although there was not a member bold enough to support the continuance of the office in principle.

The same year Sir William Somerville, the Chief Secretary, had once more brought in the Land Bill which he had introduced without success in 1848. This time it passed the second reading in the Lower House, and was consigned to the care of a Committee; but beyond that stage it never got, being shelved to make way for more important business. Sharman Crawford also reintroduced his Tenant Right Bill which had been rejected in 1848, but he was again defeated. In 1851 Sir H. W. Barron moved for a Committee of the whole House to inquire into the condition of Ireland, but his motion was rejected through the influence of the landlords by a majority of nine. Distraught with their own cares, scattering their profusion in the gaudy vestibules of the Great Exhibition, the mellifluent voice of self-interest bade the prodigals hold their largess-loving hands, and not yield to the supplications of misery, when the gratitude of poverty could be their only gain.

The Civil Bills Act was passed the same year. Up till 1851 the remedy of ejectment for rent in arrear was not applicable to tenancies from year to year not created by written agreement, the landlord being obliged to determine these tenancies by notices to quit. This involved a delay, which was a great protection to tenants whose immediate ejectment would have involved in many cases the greatest misery. The Civil Bills Act of 1851 took away this protection from yearly tenants whose rent was under £50, and they were placed in the same position as tenants under a written agreement. This was all the more unjust as there were at the time 608,066 holdings in Ireland, of which probably not more than 30,000 were over £50.

In 1852, when the Whig Ministry had gone out, and Derby, who came in with the Tories, had dissolved Parliament, some fifty tenant-right members, who went by the name of "the Irish Brigade," were returned to the House of Commons, pledged to work for a radical reform. Very soon, in spite of the fair promise which gilds the sails of every new enterprise, a split became discernible in the body of the Tenant League, and after a short while two distinct parties made their appearance. The first was

¹ John Arthur Roebuck (1801-1879), member for Sheffield.

led by Duffy and Lucas, and constituted a majority of the representatives of the League. It was earnest and united in purpose, concentrating its energies upon winning a thorough measure of Tenant Right and effecting a radical and, it was hoped, final reform of the troubled Irish land system. The second party, known as the Pope's Brass Band, was numerically much weaker, composed in part of the survivors of O'Connell's "Tail," and partly of unstable adventurers who were ready to sacrifice the cause of the Irish farmer and what was thought to be Irish freedom for narrow and impracticable ends, or for merely selfish objects. The chiefs of this faction were John Sadleir, his brother James, a young lawyer named William Keogh,¹ and Edmund O'Flaherty.

The same year a Parliamentary Committee of the House of Commons was appointed to inquire into the state of those parts of the counties of Armagh, Monaghan and Louth referred to in the Queen's Speech as being disturbed, as well as into the immediate cause of crime in those districts and the efficacy of the laws for its suppression. The committee, of which Bright was a member, suggested that there should be but one panel of jurors to try issues civil and criminal at the assizes, in addition to any special jury which might be lawfully summoned, and that measures should be adopted to secure strict impartiality in the constitution of the jury panel. They also recommended that the attention of the Legislature should be directed at an early date to the laws which regulated the relations of landlord and tenant in Ireland with a view to their consolidation and amendment, especially such as might provide adequate security to tenants for permanent improvements, and otherwise place the relations between the two parties on a more satisfactory basis.

In 1852 another Valuation Act was passed which reverted to the former system of valuation by a fixed scale of agricultural produce. Sir Richard Griffiths, in his evidence in 1869, showed that it was a live-and-let-live valuation, according to the state of prices for five years previous to the time of valuation. Griffiths' valuation was a rough-and-ready way of estimating the value of land, but on the whole it was a fair one, and the Land League speakers condemned all rents above it. On February 10, 1852, Sharman Crawford obtained leave to introduce a Bill to regulate the Ulster Custom; but shortly afterwards the Liberal Government went out of office and was succeeded by that of Lord Derby, and Crawford's measure was consequently defeated by a majority of 110.

The same year a Bill embodying the doctrines of the "Three

¹ William Nicholas Keogh (1817-1878), appointed Solicitor-General for Ireland in 1852 in Aberdeen's Ministry.

F's " was introduced into Parliament by Serjeant Shee, the representative of the Tenant League, whilst Derby's Government, now taking the matter in hand, brought forward a measure of their own to ensure compensation to tenants for their improvements. The proposals of the Government were embodied in four Bills—a Land Improvement Bill, a Landlord and Tenant Law Consolidation Bill, a Leasing Powers Bill, and a Tenants' Improvements Compensation Bill—which Joseph Napier,¹ the Irish Attorney-General and afterwards Lord Chancellor of Ireland, introduced into Parliament in November 1852. They were founded on the recommendations of the Devon Commission, and were brought forward with the view of meeting the wishes of the Tenant Right League in the matter of relations between landlord and tenant. The compensatory proposals contained in the Bills included past as well as future improvements, and thus the principle of joint ownership existing in many instances would to a considerable extent have been vindicated, and a long stride made in the direction of settling the whole question. Napier proposed to encourage a thorough system of drainage and other substantial improvements by enabling owners to borrow money on favourable terms, and by charging the expenditure for a certain number of years on the land; to give the landlords with only a limited interest the right to bind their successors by leases and by agreements for special improvements; to consolidate and simplify the general law of landlord and tenant; to place the relation between the two parties henceforth on the basis of contract, and, in the absence of specific agreements, to give the tenant a legal right of compensation for improvements made by him on his holding. On the unfolding of Napier's proposals the members of the Tenant League entered into negotiation with the Government, and promised to give the latter their support, provided their own Bill, which had been introduced by Shee, and that of the Ministry were referred together to a Select Committee. Disraeli was ready to accept the offer, but Derby's Irish adherents were unanimously and uncompromisingly opposed to it, and as the Prime Minister and most of his other followers agreed with them, the suggestion was rejected. Shee's Bill, which was founded on Sharman Crawford's former measure, was therefore defeated. The League hereupon threw their negotiations to the wind, and shaking off the dust of their feet against Derby, voted, when the Government staked their existence on the acceptance of Disraeli's Budget, to a man against him, and in fact were the element which by nineteen votes ultimately turned the balance against the Tory administration.

On Derby's fall in December, the Aberdeen² coalition

¹ Joseph Napier (1804–1882), created a baronet in 1867.

² George Hamilton Gordon, fourth Earl of Aberdeen (1784–1860).

succeeded to office, and recognizing the League as a potential factor in party politics, held out a bribe in the shape of places to various members of the second section in it in order to conjure them into official silence. Now, Keogh had said in the spring of 1852: "I declared myself, in the presence of the Bishops of Ireland and of my colleagues in Parliament, that, let the minister of the day be whom he may—let him be the Earl of Derby, let him be Sir James Graham, or Lord John Russell—it was all the same to us, and, so help me God, no matter who the minister may be, no matter who the party in power may be, I will support neither that minister nor that party, unless he comes into power prepared to carry the measures which universal popular Ireland demands." But before the year was out he had swallowed the bait and become Solicitor-General for Ireland; whilst John Sadleir¹ was made a Lord of the Treasury, and O'Flaherty a Commissioner of the Income Tax. The Government, forsooth, had chosen their placemen with prudence and discrimination. Sadleir, discovered to be a forger and a swindler on a large scale, was dismissed with ignominy within a year, and committed suicide on Hampstead Heath. His brother, one of the same gang of turncoats, was expelled from the House of Commons, and O'Flaherty escaped conviction for forgery by flight to Denmark. The temptation had been too much for these desperate patriots, who, after a one-sided conflict between greed and honour, had succumbed to their own interests, finally breaking in pieces by their apostasy the power of the League to do any more harm. In fact, it was dissolved, and for years the tenants of Ireland made no efforts to advance their cause. Their old efforts had failed; they saw no hope upon the horizon, and their silent, brooding discontent slept the motionless sleep of paralysis.

In 1853, the Select Committee to which Napier's Bills had been referred, and which had rejected Shée's scheme, reported in favour of the former, and backed by this expression of favourable opinion they passed safely through the Lower House. They then went to the Lords, but encountered there so much opposition that they were abandoned after the second reading. In 1854, when a Liberal Government was again in power, a Select Committee of the Lords reported in favour of three of Napier's Bills and against the fourth or Tenants' Compensation Bill, and the Upper House, in view of this lopping off of tenant-right, consented, after due amendment, to accept the proposals the Committee had passed. The Aberdeen Government, however, deemed the further prosecution of the measures inexpedient, and the Bills were once more abandoned.

¹ John Sadleir (1814–1856). He was manager of the Tipperary Bank in 1856, and overdrew his account to the extent of £200,000. On its becoming insolvent he committed suicide by swallowing poison.

The Tenant League, although a ruin of its former self, still led a protracted and invalid existence, and in 1855, when Aberdeen had resigned and Palmerston¹ had succeeded to the Premiership, it resolved to bring in a Bill stripped of the former clauses which had roused such opposition in Parliament. Shee therefore introduced a measure on behalf of the League without the old provisions for legalizing the Ulster Custom, or the valuation clauses, or the O'Connell clause providing that improvements should be presumed to be the tenant's until the contrary had been proved. His Bill, in fact, was substantially identical with Napier's measure, but Lord Palmerston declined to pass the retrospective clause which it contained, unless its operation was limited to a period of twenty years; and as the amendment which Edward Horsman, the Chief Secretary, moved, embodying this objection, was carried by a majority of 104, the Bill was reluctantly abandoned. In 1856 the question was again revived by a Bill which was introduced by George Henry Moore,² the leader of the Irish Parliamentary party, legalizing and extending, like Sharman Crawford's Tenant Right Bill, the Ulster Custom throughout Ireland; but it had to be abandoned for want of proper support on the part of the Government, Horsman declaring that it would be a waste of time to go into Committee upon it. In 1857 it was reintroduced by Moore, but opposed by the Government and once more abandoned. In 1858 John Francis Maguire³ reintroduced Serjeant Shee's Bill of 1855, but it was roughly handled by Palmerston, who declared that the principle was to transfer the property of one set of persons to another and a different class, and it was rejected on the second reading by a majority of 135.

In 1858 the Landed Estates Court was established. In accordance with the Encumbered Estates Act of 1849 an Encumbered Estates Court had been set up to transact the business falling within the purview of the Bill. Now, the Act of 1849 had been temporary, but the jurisdiction of the Court had been continued by four later Acts until 1858. In this year, therefore, the Landed Estates Court was established with power to carry out sales and give an indefeasible title in respect of any kind of interest in land, whether encumbered or not.

In 1860 a Landed Property Improvement Bill was introduced and passed by the Palmerston Government. Various attempts had, as we have seen, been made to give greater security to tenants in the usufruct of their improvements, and Sharman Crawford had among other reformers repeatedly introduced a Bill for the purpose before the occurrence of the great famine of 1846-7. His proposals had been that, whenever a tenant made

¹ Henry John Temple, third Viscount Palmerston (1784-1865).

² George Henry Moore (1811-1870), member for Mayo.

³ John Francis Maguire (1815-1872), member for Dungarvan.

improvements which were of a nature to produce an increased rent and which had not been included in the terms of his existing lease, they should be duly valued ; that on the expiry of his term, he should be entitled in virtue of those improvements to claim from the landlord either immediate money compensation, or a prolongation of his tenancy, and that, in fixing the new rent in the latter alternative, the value of the unremunerated improvements should be taken into account, so that the tenant might be reimbursed for them during the course of his succeeding term. These proposals, which, had they been carried into effect, would probably have largely contributed to the settlement of the Irish land question, were nevertheless persistently rejected as the impracticable suggestions of a theorist. The present measure dealt with the existing restrictions on the powers of limited owners and with the improvements effected by certain classes of tenants upon their holdings. By the provisions of the Bill limited owners were enabled subject to judicial sanction to charge the inheritance with the cost of specified improvements, and to bind their successors by leases for stated periods. The limited owner could grant simple agricultural leases without judicial intervention for a term not exceeding twenty-one years, but the sanction of the chairman of the county in which the lands were situated was required for every improvement lease. The right to compensation, either in the form of continued possession or of an annuity charged on the land, was granted to those tenants who should carry out certain specified improvements on their holdings, provided there had been an agreement with the landlord before the execution of improvements, or the tenant had given notice of his intention to improve, and the landlord had not within three months notified his disapproval. His disapproval excluded all right to compensation, and in either case the sanction of the chairman was required. As, however, the landlords practically always withheld their consent, this provision was nugatory. Another clause in the Bill affirmed the right of the tenant to cut turf in the absence of any express agreement to the contrary on any unreclaimed turf bog on his holding. Before the Bill passed into law, an attempt was made to carry an amendment for the purpose of protecting the tenant by allowing an appeal from the landlord to the chairman, but it was rejected by a majority of 144, and the Act eventually came into operation for better or worse on November 2, 1860.

The same year the Palmerston Government carried another Bill known as the Landlord and Tenant Law Amendment Act, or "Deasy's Act," so named after Richard Deasy, the Irish Attorney-General, who, with Edward Cardwell,¹ the Chief Secretary, was responsible for it. It was framed on the same

¹ Edward Cardwell, Viscount (1813-1886). . Made a peer in 1874.

lines as Napier's Bill, and declared that the relation between landlord and tenant should be considered as founded on the express or implied contract of the parties, and not upon tenure or service. A large number of complicated and inconvenient rules in regard to the assignment of tenancies were swept away, and the remedy of distress was restricted to the recovery of rent of the last preceding year. The right of ejectment pure and simple for non-payment of rent was recognized, whilst the process of ejectment was also simplified and rendered less costly, the writ in ejectments requiring among other modifications to be served only on the persons in actual possession of the lands as tenants or sub-tenants. The Bill further provided that no tenant could be ejected for non-payment of rent until a whole twelve months' rent under the contract of tenancy was in arrear, and that even after the ejectment had taken place, and the landlord was in possession, the tenant might apply to the Court for reinstatement, if within six months after his ejection he paid his rent and costs. The tenant, moreover, was authorized by the Act to remove all "personal chattels, engines, machinery, and buildings accessorial thereto, affixed to the freehold by the tenant at his own expense," so long as this could be effected without injuring the freehold as it existed when he first received it. Deasy's Act finally came into operation on January 1, 1861.

Both these last Acts, which issued from the loins of the Palmerston Administration, were ignored by the Irish peasantry, and were failures as remedial measures, for the reason that the landlord's object in all this doll's-house legislation was not to enter into that kind of partnership with his tenant which was demanded by the peculiar system of land tenure that had always existed in Ireland, but to root out from the tenant's mind all idea that he had any right at all, except that of squatting upon his holding just so long as the landlord might be pleased to acquiesce in the arrangement, and no longer. As MacCarthy¹ observed in his evidence before the Committee appointed in 1865 to inquire into the failure of the Land laws—

"The tenants go because they find that, no matter how they may work and slave in their own country, they do not reap the benefits of it."

The Bessborough² Commission in their report of 1881 said of these legislative contortions—

"This enactment has produced little or no effect. It may be said to have given utterance to the wishes of the Legislature

¹ John George MacCarthy (1829-1892). Appointed an assistant-commissioner under the Land Act of 1881.

² Frederick George Brabazon Ponsonby, sixth Earl of Bessborough (1815-1895).

that the traditional rights of tenants should cease rather than to have seriously affected the conditions of their existence."

It was all the more important that some measure should be passed for the improvement of the relations between landlord and tenant, as the three years following these acts pressed heavily upon agriculture. Dr. M. Neilson Hancock, who wrote a pamphlet to try and confute the alleged progressive decline of the prosperity of Ireland, had to confess in that very work—

"That the still further diminished produce of all crops in 1860, 1861, and 1862, resulting from inclement seasons, with scarcity of turf in 1861, turned the diminished progress in wealth into a positive decline; and that the accumulation of the effects of three years' decline has produced a very serious diminution of national wealth and well-being—the losses of farmers in oats, wheat, potatoes and cattle, in the three years, amounting to upwards of £26,000,000, or two years' rental."

Hardly a voice was raised in defence of the Irish system of land tenure, for it was indefensible, and this every man of sound and honest mind knew. In a paper read by Heron at a meeting of the Irish Statistical Society in May 1864 that gentleman said—

"Under the present laws no Irish peasant able to read and write ought to remain in Ireland. If Ireland were an independent country, in the present state of things there would be a bloody insurrection in every county, and the peasantry would ultimately obtain the property in land as they have obtained it in Switzerland and in France."

Dr. Keane, the Roman Catholic Bishop of Cloyne, in his evidence before the Land Tenure Commission in 1864, referring to Lord Derby's measure of 1884 and the clause in Napier's Bill of 1852 providing for retrospective compensation, said of the Irish tenants (question 3,408)—

"The cup of hope is presented to them over and over again, and it is dashed from them at the time they least expect it; and the disappointment they feel on that account is doubly bitter."

And (question 3,409)—

"I do not think I could overrate the amount of discontent which is in the depths of their soul."

And again (question 3,410)—

"I have made inquiries over and over again, in Queenstown

and elsewhere, and I never yet heard that a single farmer emigrated and left the country who had a lease."

Lord Kimberley declared in the House of Lords in August 1864—

"It is impossible for England to perform its duties to Ireland so long as no attempt is made to deal with the important question of the tenure of land. I implore the Irish landed proprietors not to pass it by. The landed proprietors are supported by the force of the United Kingdom in maintaining themselves in a position which, I am convinced, if Ireland stood alone, they could not possibly maintain, and this country is strictly responsible for seeing that its military force is not applied in perpetuity to save the landowners from measures which they have neglected to provide and which might otherwise be forced upon them."

But what was Kimberley thinking of? Were not the landowners the only real gentlemen in Ireland, and had they not therefore an acknowledged immunity from the restrictions of the moral law? In this world, independent reader, mankind is divided into a number of herds with great diversities of fortune. Some are rich, others poor; some weak, others powerful; some struggling for bare existence, others burdened with a superfluity of substance; some courted and hearkened to, others despised and neglected with contumely. But in every class there may be equal merit; no one need morally be below another. This indeed is the glory of the weak, the comfort of the despised, the solace of the spurned, and the inward rapture of the ragged, and destitute, and hungry. No one need morally be below another, and what monarchs and kings of the earth are hidden under the tatters of the lowest of mankind! They walk among us and we see them not. In that worn and filthy coat there dwells a statesmanship like Cæsar's, but unfledged, or, maybe, a genius for expression that even its gross covering can scarce contain. Look again behind you. Under those torn and sweaty rags yonder there stalks a king of courage, animated by the holiest devotion to duty. He has dwelt amidst the sewerage of the metropolis, fearing God, suffering with indomitable patience, charitable to all men; and this is his reward, that some day, stretched upon his fever-bed, his name unknown, his whole life one unremitting, unrequited toil, he will peacefully render up his spirit with the consciousness of having done his duty.

In 1866 Chichester Fortescue,¹ the Chief Secretary, introduced on behalf of the Whig Government a Bill to amend the

¹ Chichester Samuel Fortescue, afterwards Parkinson-Fortescue, ~~Baron~~ Carlingford (1823-1898). He succeeded Sir Robert Peel (1822-1895) as Chief Secretary in November 1865.

Act of 1860. The new measure did not meddle with any existing contracts, and permitted every landlord in future to let his land upon whatever terms he pleased; but it endeavoured to give the tenant the power of acquiring by his improvements a property in his farm. It permitted him to make certain specified improvements with or without his landlord's consent, and provided upon the termination of his interest that a sum should be paid to him equivalent to the increase in value which these improvements had added to the letting of the farm. A possession of forty-one years was to be considered a sufficient compensation for the improvements; and if the landlord chose to grant or offer a lease of thirty-one years at the old rent, no further claim could be made against him.¹

Tenants, however, were prevented under the Bill from obtaining compensation for improvements which any written agreement prohibited them from making; and, as we said, all tenants holding under leases made before the passing of the Act were excluded from its operation. What the Bill really provided was that in all future lettings of land the tenant was to be at liberty to make improvements and be paid for them in all cases in which the letting agreement was silent on the subject; whilst, in the absence of any express contract, every such tenancy would in future imply an agreement that the tenant on giving up his holding should be compensated for any addition he might have made to the value of the land. But the Bill was abandoned, for the tenants looked upon it with disfavour as an invitation pure and simple to the landlords to refuse permission to make improvements, and the landlords disliked it as it smacked slightly of reform.

The same year a Bill was introduced by Sir John O'Loughlin for the purpose of discouraging annual letting and precarious tenancies. One of the clauses provided for compensation to a yearly tenant in the event of his being ejected for any other cause than non-payment of rent, and another proposed that in all future lettings, if no term was mentioned, the letting should be assumed to be for twenty-one years. The measure was rejected by a large majority; but the principle contained in it was eventually developed in the Land Act of 1870.²

In 1867 Lord Naas,³ the Chief Secretary, brought in a Land Bill on behalf of the Conservative Government which was then in power, drawn up on similar lines to Stanley's proposals of 1845. The Act of 1860 passed by the Whig Government had placed the tenant completely in the power of the landlord by depriving him of all interest in any improvements which might

¹ Appendix LXIA, list of improvements carrying compensation.

² Appendix LXII, quotation from Isaac Butt.

³ Richard Southwell Bourke, sixth Earl of Mayo (1822-1872).

be effected without the landlord's consent. Chichester Fortescue's Bill of 1866, although more liberal in its provisions, restricted the freedom of the tenant by allowing him to claim compensation only for such improvements as the landlord had not actually forbidden him to make. Lord Naas now proposed to withdraw from the landlord the large vetoing power with which the Whigs had invested him, and to appoint a Commissioner of Improvements, to whom the tenants' plans of improvements should be submitted, and who was to decide whether they could be carried out or not. The Bill proposed to compensate the tenants for improvements of any of the following classes—

1. The thorough drainage or main drainage of land.
2. The reclaiming of bog-land, or reclaiming or enclosing of waste land, or clearing land of rocks or stones.
3. The removal of useless fences.
4. The making of fences.
5. The making of farm roads.
6. The erecting of a farmhouse or other buildings solely for agricultural purposes suitable to the holding, or the rebuilding or enlarging the same.

A further inducement to improve was held out to the tenant by the offer of a Government loan to be a charge upon the farm, both in his own hands and in that of the landlord after the reversion of the tenant's interest had lapsed to the owner. Moreover, unlike Fortescue's proposals of 1866, Lord Naas's Bill was to apply to existing leases as well as future ones. But the drawbacks to the Bill were considerable. First, the submission of improvements beforehand to an officer of the Board of Works would necessarily entail much expense and trouble upon tenants, and, in fact, prevent in the case of the poorer occupiers the smaller improvements which generally were greatly needed on little holdings. Secondly, although the provisions of Naas's Bill in regard to improvements applied to every tenant holding by lease in spite of the landlord's dissent, it did not apply to any yearly tenants, who would thus remain at the mercy of their landlord's arbitrary will as before, and be subject to a notice to quit. The yearly tenants would indeed, like those under leases, be able to submit their improvements to an officer of the Board of Works, but they would only be able to obtain compensation for them if the landlord were an acquiescing party to the arrangement. If we compare Fortescue's and Naas's Bills together, we can see that under the former the occupier of a small farm might succeed in effecting improvements without being interfered with by the landlord, in which case these improvements would be secured from confiscation by the latter, who would be unable to seize upon them without paying due

compensation ; whilst under Naas's measure a tenant holding a lease of a farm could submit improvements to the Board of Works, and in defiance of his landlord obtain compensation for them.¹

The tenants who had rejected Fortescue's Bill refused to accept Lord Naas's either ; they looked upon it with suspicion, and lacking their support it had to be abandoned. The same year a committee of the Upper House was appointed to report on a Bill introduced by Lord Clanricarde, which aimed at the encouragement of voluntary contracts between landlords and tenants. But a committee of Irish landlords was the last body to unravel the difficulties of the Irish land problem. They sat in an asphyxiating and blighting atmosphere ; the breath of life was not in them, and the harpies of privilege, class instinct, monopoly, and tradition held them fast.

At length, in 1870, the celebrated Land Act was passed. Ever since the passing of the Encumbered Estates Act in 1849, the bitterness felt by the Irish tenantry at what they believed to be their wrongs had been uninterrupted and intense. Although Ireland enjoyed a period of comparative calm from 1854 to 1865, outrages still continued to spasmodically unnerve the Castle junto, showing that the general appearance of tranquillity was merely artificial, the languor of exhaustion rather than the repose of content. Between 1850 and 1870, in fact, occurred some of the worst crimes recorded during the century, and to give an idea of the state of anarchy which was rife in Ireland during those years which have been celebrated as peaceful, it will be as well to recount without labouring the details a few out of the many deeds of horror that stained the pages of their history.

In January 1850, Mr. Ardell, steward to Mr. Falkner, a land-owner in the County Tipperary, was shot dead while walking from his principal's house to his own, a distance of a quarter of a mile. In August of the same year, Mr. Pike, land-agent to Mr. Cassidy of Monasterevan, in the King's County, was beaten to death ; and in September, Mr. North, of Kildiff House, in King's County, a Justice of the Peace and a Deputy-Lieutenant, was shot dead within a mile of his own residence in the light of open day. Mr. Mauleverer was a tyrannical agent to a hard, selfish landlord in the County Londonderry, and, while driving through a lonely defile near Crossmaghlen in 1850, he was attacked by three men who sprang upon him from behind a hedge. Mauleverer made a desperate fight of it, striking one of his assailants a severe blow on the head, but he was soon overpowered, dragged from the car, and mercilessly stoned to death. In 1851, Mr. White, a landed proprietor in the Queen's County, took legal proceedings against his tenants in regard to their

¹ Appendix LXIII, quotation from Isaac Butt.

right to cut turf on the estate. The Courts decided in their favour; but he was determined not to give way, and appealed to a higher tribunal, whereupon the tenants took the law into their own hands and deliberately shot him dead. Mr. Bateson was manager of the Monaghan estates of Lord Templetown, and did not scruple to raise the rents and evict the tenants whenever it suited his master's purpose. So, whilst driving one day in 1851 on the high road near Castleblaney, he was fired at and badly hit. The assassins, however, were far from satisfied. They were resolved to be rid of him, and as he lay prostrate upon the road they beat the evictor to death. Mr. Chambre, a landowner in the County Armagh and a notorious rack-renter and evictor, was fired at in January 1852, and terribly wounded, six pellets lodging in his neck and one penetrating the skull. In this state he was carried along the road by his brother and servant, the horse having meanwhile taken fright and bolted; but the door of every peasant's house was shut in their faces, and not even a drop of water could be obtained for the wounded man. Mr. Chambre eventually recovered from his injuries, but the ruffians who had plotted his death were never discovered. In 1852, Mr. O'Callaghan Ryan, a landed proprietor in the counties of Tipperary and Waterford, had served a number of ejectments on his tenants in the latter county, and while returning from Dungarven to Clonmel on the 4th of September was fired at, wounded, dragged into a ditch, and there brutally beaten to death. The murderer was finally arrested and hanged. In October, of the same year, Mr. Manifold, agent to Mr. Morris, a landowner in the King's County, who had been engaged in extensive clearances, was shot dead within half-a-mile of a police barrack. In 1853, a farmer of the name of Farrell, who had disobeyed the Ribbon law, was cruelly murdered in his own house in the presence of his family. The same year, a labourer named March was beaten almost to death with a blunderbuss near the town of Moate for the same reason, and Cauley, a bailiff, was killed in the County Tipperary. In 1854, a farmer named Mullowney was waylaid in the principal street of the town of Nenagh, County Tipperary, dragged from his horse and deliberately butchered. In 1855, Mr. Ramsbottom, agent to Captain Humphrey, a landowner in the King's County, was attacked and nearly killed for evicting a number of tenants; and in the same year a farmer of the name of McHall was murdered near Castlebar, in the County Mayo, for offending against the Ribbon Code. The same year, Miss Hinds, a rack-renter, was likewise killed in the County Cavan. While returning one day from the market of Ballyconnell to her own house, three men, who lay in ambush close by, rushed forward, dragged the unhappy woman from her carriage, and with hideous and

unmanly savagery barbarously beat her to death. In March of the following year, Mr. Callaghan, an overbearing and tyrannical landlord, was foully murdered near his own house in the County Dublin. In 1857, Mr. Ellis, steward to Mr. Trant, a landowner in the County Tipperary, was shot dead, and two men suspected of the murder arrested and hanged for it. In 1858, a peasant, named Kelly, who had "grabbed" a farm from which the previous occupant had been evicted, was shot dead in the County Westmeath. The same year Mr. Ely, of Ballaghmore Castle, in the Queen's County, was shot dead whilst walking from his brother's house to his own. Mr. Benn, a landlord in the County Antrim, who had offended against the Ribbon Code, was also shot dead in 1858, while walking near his own residence, by a man hid in an adjoining shrubbery. The following year a Mr. Jessop was returning one day from market, when he was fired upon and mortally wounded within a quarter of a mile of the very police-barrack which had been built for his protection. In July 1859, Edward Brophy was murdered on the high road near the town of Tipperary, and William Crowe, an under-agent of the County Limerick estates of Lord Derby, was assassinated in broad daylight in the presence of a number of peasants near the village of Doon. In September of the same year a farmer named Lynch was beaten to death at Macroon, in the County Cork, for taking land from which his predecessor had been evicted; and in December, another farmer, of the name of Kelly, was shot dead in the County Westmeath for a similar offence. In 1860, Mr. Alderman Sheehy, who had recently evicted some of his tenants, was murdered. He had built a small cottage on his Clare estate, where he was accustomed to occasionally spend a few days. He kept no servants there, and at night remained entirely alone. One evening he retired to bed as usual, unaware of the fate which was to overtake him. In the middle of the night the implacable foes of the evictor set fire to his cottage, and his body was discovered the next morning buried among the ruins and almost reduced to ashes.

These crimes were undoubtedly appalling, but the wickedness was not gratuitous. It was the madness of misery, the reckless courage of ferocious despair that drove these men to revenge. As the law refused to shield them, had it a right to demand their allegiance? Were the landlords to grind their poor mules to powder in the year 1860? It verily seemed so in the face of the Partry Estate and Glenveagh evictions. The evictions on the Partry Estate of Lord Plunkett commenced on November 20, 1860, and it was firmly believed at the time by persons who had evidence at their disposal that the tenants were evicted on account of their refusal to send their children to the Irish Church Society's School. Even the *Times* described the

scenes that took place as a "hideous scandal"—the heartrending scenes of aged men and crippled women being driven from their homes. About the same time occurred the evictions on Mr. Adair's estate at Derryveagh, in Donegal, generally known as the Glenveagh Evictions. According to the official report, as quoted in Parliament in 1861—"Twenty-eight houses were unroofed or levelled; forty-six houses evicted forty-seven families, comprising thirty-seven husbands, thirty-five wives, one hundred and fifty-nine children, thirteen other inmates, making a total of two hundred and forty-four persons." The cause of this inhuman act was that Mr. Adair's manager had been assassinated, and, as the murderer could not be discovered, the tenants in their corporate capacity were made to pay the penalty. In face of these facts it would have been contrary to the course of human nature had the flow of outrages stopped.

In 1861, a man named Shiels, who had "grabbed" a farm in the King's County from which the previous occupant had been evicted, was shot dead while sitting with his wife by his own fireside. The same year another farmer, named Dineen, was murdered in a like manner within a stone's throw of his own house, near the town of Callan in the County Kilkenny. In 1862, Mr. Thiebault, a French Catholic who had purchased a property near Rockwell in the County Tipperary, was walking home one afternoon with a gun on his shoulder. When he had arrived within a short distance of his house and of a police-barrack, a man sprang from behind a hedge, felled him with a pitchfork, splitting his skull open, and then seizing the fowling-piece lodged its contents in his body. This crime was due to the fact that, when agent to his brother, Thiebault had evicted some tenants. Mr. Fitzgerald, a landowner in the County Limerick, had also evicted a number of his tenants. One day, in 1862, while he was walking with his wife close to his own house, a man rushed up to him, and drawing a pistol from his pocket shot him through the heart. A man suspected of the crime was afterwards arrested and hanged. The same year Jessop, a landlord in the County Meath, was shot for the same offence, and Maguire, a tenant in the County Tipperary, was stabbed to death for taking the farm of an evicted peasant. In 1862 occurred also the murder of Mr. Braddell, a land-agent in County Tipperary, who had carried out evictions wholesale after the famine had desolated the country in 1845-7. Among others he had ejected the son of a former bailiff, named Hayes, with whom he had quarrelled. On the 30th of July, 1862, young Hayes called upon him and begged to be allowed to remain on his land; but Braddell refused; whereupon Hayes drew a pistol from his pocket and deliberately shot Braddell in the abdomen.

Hayes then walked calmly out of the office, and having sauntered for some time about the streets eventually disappeared. So feeble was the wit of man, so difficult for thirty to rule four millions, when they ruled unwisely. When the fire of a noble enthusiasm and the sense of fair dealing was stifled under a garrulous hypocrisy preaching about honour. When the spirit of rectitude and the soul of charity were made to wait upon self-interest, and the duty of learning the conditions and history of a suffering dependency was choked by apathy and neglected year by year. What said one of the greatest of her apostles? *Ireland is not known to her rulers, who do not care.* That thirty could not govern four millions was unaccountable. That five hundred years should have littered their ruins over Ireland—five hundred years of warring and debate, of law-making and searchings of heart—and yet that at the end of this period the rule of Ireland's governors should have been held abominable, insufferable, impoverishing, a contagious sore to be shunned by honest men, a disreputable chapter in the history of Empire, and a butt for the ridicule of foreign nations, this was indeed unaccountable. This chronic crime in Ireland was a symptom of her rulers' own disease, of their incompetence to manage her, and the paltriness of their attempts to win the confidence of the Irish people. There was no escaping from this conclusion. Ireland's governors lacked the brains and character necessary to govern the Celt, and they discovered that lesser qualities were unable to take their place.¹ Every one of these outrages were occasioned by eviction or the fear of it, by indefensible rack-renting or what was known as land-grabbing, and by various other exasperating tyrannies. Evictions not only took place for non-payment of rent, but were often carried out from religious bigotry or on account of disobedience to the "rules" of the estate, such as the one prohibiting tenants from building houses for their labourers, or the rule that two families were not to live in the same house.

The later agrarian outrages, which occurred after 1862, are not to be confounded with Fenianism; for after 1862 the former decreased whilst the latter sprang into being. Fenianism had for its ultimate object the destruction of English rule in Ireland, whilst agrarian outrage only aimed at the demolition of Irish landlordism. Thus the number of agrarian outrages in 1862 was 363, and the outrages themselves of the most aggravated type; whilst in 1865, when Fenianism had become a power in the

¹ Jeremy Bentham wrote in his *Theory of Legislation*—

"If associations spring up in a country powerful enough to intimidate its government with all its executive forces at its back, and with all its influence, and too powerful to be put down—if and when a great majority of the nation is seen on one side and its government on another—it is a pretty clear indication that the general discontent of the country is well-founded."

country, the number fell to 178, and in 1866, when an immediate Fenian rising was projected, it sank to 87—the lowest figure on record. Moreover, the outrages both in 1865 and 1866 were less savage in character than those of previous years. After the Fenian movement had been temporarily crushed, the demon of agrarian crime displayed his hideous deformity once more, and assassination and every other form of outrage dogged the steps of the hated evictor, and, haunting the bedside of good and bad alike, peopled their slumbers with mutilated men. Between 1868 and 1870 various murders were committed. Mr. Scully, an infamous landowner in the County Tipperary, had been tried in 1847 on a charge of shooting at two peasants, but had been acquitted. In 1865 he was sentenced to twelve months' imprisonment for outrageously beating the wife of a tenant. In 1868 he endeavoured to enlarge the catalogue of his rights by forcing on his tenantry a lease, by which they were to forego their common-law title to their own crops, pay all rates and taxes, discharge their rents quarterly, and always be half-a-year in advance of their payments. The tenants very properly refused to fall in with Scully's ideas of landlord responsibility, and the latter thereupon determined to evict them; but in the attempt to do so his bailiff and one policeman were killed, and Scully himself and several others dangerously wounded. Between this and 1870 many other crimes occurred. Mr. Fetherston, a landed proprietor in the County Westmeath, had raised his rents, and, on the refusal of his tenants to pay, had promptly evicted them; but they were resolved not to be behind their patron in ferocity of reprisal, and one day shortly after this summary proceeding he was shot dead while driving from a neighbouring railway station to his own house. Mr. Baker was a landlord in the County Tipperary; he also had evicted some tenants, and he also was shot dead. Tracey, a small farmer in the same county, who had taken the holding of an evicted tenant, had his throat cut from ear to ear. A man of the name of Anketell was killed in the County Westmeath for a similar offence, as also Mr. Tarleton, another Westmeath landed proprietor.

Having glanced at the system of wild justice which was forced upon Ireland for want of any legal methods of redress, we can return to the Land Act of 1870. One of the secrets of the Irish land difficulty had been dragged into the light by the Devon Commission in their celebrated report in 1845. The Commissioners observed—

“It is admitted on all hands that, according to the general practice in Ireland, the landlord builds neither dwelling-house nor farm offices, nor puts fences, gates, etc., into good order, before he lets his land to a tenant.

The cases in which a landlord does any of those things are the exceptions. The system, however, of giving aid in these matters is becoming more prevalent. In most cases, whatever is done in the way of building is done by the tenant, and, in the ordinary language of the country, dwelling-houses, farm-buildings, and even the making of fences are described by the general word 'improvements,' which is thus employed to denote the necessary adjuncts to a farm, without which, in England or Scotland, no tenant would be found to rent it."

When the custom, however, of giving aid became "more prevalent," the landlord generally charged five per cent. on his advance and added it to the rent. His avarice stuck to him like Nessus' shirt; a little less niggard with one hand, he was determined to be grasping with the other. But the paramount grievance of the Irish tenant farmer was the system of absolute insecurity of tenure under which he held his land, although he might have acquired rights, as indeed he had, in thousands of cases amounting to a practical joint-ownership of his holding. Edmund Burke, with his usual statesman-like intuition, had perceived that the Irish tenant was morally a joint-owner with his landlord, and had repeatedly insisted that the only way to vindicate his rights was to turn him into a copyholder at a just rent.¹

In Ulster the tenant lived under peculiarly favourable conditions, embodied in what was known as the Ulster tenant-right, which varied on different estates. By the unwritten laws of this custom, the tenant was generally left in undisturbed possession of his holding as long as he adhered to the conditions of his tenancy and paid his rent, whilst he was entitled to sell his interest in the holding on giving up possession, whether voluntarily or through inability to pay. The rent indeed might be periodically revised by the landlord, but a rack-rent by extinguishing the tenant's saleable interest was discountenanced as a breach of the custom. The landlord might also refuse on reasonable grounds to accept the proposed new tenant, but, if he himself took over the farm, he had to buy the tenant-right at a fair value. All arrears of rent due by the outgoing tenant were deducted from the price of the tenant-right, the total selling value of which was estimated in the whole of Ulster at this time at twenty millions sterling. This was the Ulster Custom, but in the rest of Ireland the tenants were practically defenceless, for their rights, although morally indefeasible, were not recognized either by usage or by law, so that five-sixths probably of the occupiers of the soil had sunk into the position of mere tenants-at-will dependent on the landlords, whose traditionary mercy gave little hope of indulgence or even of justice. Even the Ulster tenant-right had in some cases been encroached upon by a certain class

¹ Appendix LXIV, quotation from Joseph Kay's *Social Condition of the People in England and Europe*.

of owners, whilst the just claims of the self-supporting occupiers had continued to increase in volume with the growth of improvements and at length to imperatively demand a hearing from the proprietors of the soil. Nearly every month there were cases of landlords who exercised their legal rights with a harshness that differed in no wise from brutality, and where brutality was not so conspicuous, ignorance and prejudice often stepped in.¹

Gladstone introduced his Land Bill on the 15th of February, 1870, the "grand provisions" of which, as defined in his own words, were—

1. The confirmation of Irish customs.
2. The assertion of the principle that improvements made by the tenant were the property of the tenant.
3. That damages for eviction were to be paid to the tenant.²

Bright held the opinion that the only solution of the Irish land question was the gradual transformation of the tenants into owners, but Gladstone did not think so. On May 22, 1869, he wrote to Bright—

"Your plan, if adopted in full, could only extend to a small proportion of the two or three hundred millions' worth of land in Ireland; and I do not well see how the unprotected tenants of the land in general would take essential benefit from the purchase and owning of land by a few of their fortunate brethren."

John Stuart Mill, however, agreed with Bright, writing a pamphlet about this time proposing that the only practicable plan was to buy out the landlords. The scheme which was ultimately adopted—the adaptation of the law to custom and the extension of the idea of tenant-right in its entirety—was the plan of Edward Sullivan,³ the Irish Attorney-General, and following him of Chichester Fortescue, the Irish Secretary and an Irishman. Fortescue had introduced one such bill himself in 1866, and the Conservative Government another in 1867.

Under the terms of Gladstone's Bill the tenant-right of Ulster received the sanction of law, and the same rule was extended to an inchoate right which was beginning to grow up in the southern provinces, by which three other descriptions of holdings were legalized. But the tenant in this latter case was only to claim the benefit of the right, when actually disturbed in his tenancy by the landlord, and provided he had paid his rent and not sublet or subdivided his holding without his landlord's consent. In the case of holdings unconnected with any custom, there was to be a scale of damages for evictions. Thus the Bill

¹ Appendix LXV, quotation from J. S. Mill.

² Appendix LXVA, quotation from W. E. Gladstone.

³ He was created a baronet in 1881, and became Lord Chancellor of Ireland in 1883. He was born in 1822 and died in 1885.

secured for the great majority of Irish tenancies a tenant-right of a potential kind in the shape of "Compensation for Disturbance" in the event of dispossession by a notice to quit. That is to say, except in cases of non-payment of rent, bankruptcy, or violation of specified conditions of tenancy, the landlord had no power of resuming possession of his land without paying the tenant a fine for "disturbance," which might in some cases amount to seven years' rent; this compensation being totally distinct from that given for tenants' improvements in the shape of permanent buildings or reclamation of the soil. It was also provided that a tenant who had accepted a tenancy from year to year could not be removed by his landlord at the date on which his tenancy was terminable, except at a prohibitive cost. The right of compensation for disturbance applied to all tenancies from year to year, or held on leases for less than thirty-one years created after the Act was passed, and also to all tenancies from year to year existing when the Act was passed, which were under the value of £100 a year. Ejectment for non-payment of rent was not to be held a disturbance, except in cases where more than three years' rent had been allowed to fall into arrear, or, in the case of tenancies the rent of which did not exceed £15, if the Court certified that the rent was exorbitant.

The further right of "Compensation for Improvements" past and present was also included in the Act, arranged on a liberal scale and realizable by a tenant on quitting his farm, the burden of proving that improvements had not been made by the tenant or his predecessors being laid upon the landlord. In cases of eviction the following was to be the scale of damages. If the holding was not valued in the public valuation at over £10 a year, the judge could award the occupier a sum not exceeding seven years' rent; if valued between £10 and £50 a year, a sum not exceeding five years' rent; between £50 and £100 a year, a sum not exceeding three years' rent; and above £100 a year, a sum not exceeding two years' rent. Advances of money were to be authorized to landlords to enable them to defray any charge raised against them in the way of improvement in the case of tenants retiring by an act of their own; but in order to entitle such tenants to compensation the improvements were to possess a rentable value, and to be suitable to the holdings, the burden of proof that they did not possess such qualification being laid upon the landlords. No claim was to be allowed for any improvement made twenty years before the passing of the Act, unless of the nature of a permanent building or a reclamation of land. Notices to quit were to be for twelve instead of six months, and to date from the last day of the current year, and, in order to discourage capricious notices for the purpose of accelerating the payment of rent, they were to bear a stamp

duty of 2s. 6d. Non-payment of rent was to be held a bar to any claim against the landlord by the tenant. County cess was to be assimilated to the poor rate and paid in every new tenancy in moieties by landlord and tenant, whilst in every old one under £4 a year the occupier was to be at once relieved of the charge. No attempt was made by the State as in later times to generally fix rent, but in a few exceptional cases "exorbitant rents" rendered a landlord liable to severe penalties, while eviction was discouraged in various ways. With the consent of his landlord, a tenant might sell the goodwill of his holding, as under the Ulster Custom.

This was the substance of Gladstone's Land Bill, which was a stride in advance, because an honest effort to solve the Irish land question, and in spite of many limitations one of the soundest measures ever passed for the purpose. But in his strangely ignorant desire to assimilate the system of Irish to that of English land tenure, Gladstone unfortunately included in his Bill a provision enabling practically the whole of the newly created rights of the tenant, except in the case of the Ulster Custom, to be commuted, nay cancelled, by agreement. Tenants' rights under this destructive provision, with the exception of those in regard to improvements, might generally be extinguished, at least in great part, by a grant to the tenant of a lease of thirty-one years, and, by a clause more likely than any to be abused to the neutralization of the good effects of the measure, tenants of holdings valued at £50 per annum or more were empowered to "contract themselves out" of the benefits of the Bill, that is to say, to voluntarily offer their backs to the stripes of their oppressors; whilst, as regards compensation for disturbance, the restriction on other tenants respecting the contracting-out clauses was to remain in force only for twenty years from January 1, 1871.

The Act, in addition to creating large powers of leasing in furtherance of this object, provided in what were known as the Bright clauses for the formation of a class of peasant owners; and tenants were encouraged, as in the case of those holding the lands of the Disestablished Church, to acquire their farms by purchase, the Board of Works advancing not more than two-thirds of the purchase moneys, which were to be repayable by terminable annuities of 5 per cent. in thirty-five years. Loans were also to be facilitated to landlords desirous of preparing waste lands for occupation.

Gladstone's Bill passed through Parliament with scarcely any opposition. It was read a second time in the Commons by 442 to 11, and having taken up only twenty-five days, received the Royal assent on August the 1st. The Irish members took so little interest in the measure, which effected in their opinion no

reform at all, that they walked out of the House rather than be supposed to support it. The Land Act of 1870 failed, in fact, in a great measure to alleviate the grievances under which the Irish tenants laboured. It attempted to do justice to the occupier without prejudicing the disproportionate power of the landlord. The tenant could still be rack-rented and evicted, and the Act was so framed that the rights of the tenant could only be realized on eviction and when he was leaving the land; and as the Irish tenant clung to his holding, ready to suffer any injustice rather than leave his home, the provisions of the Bill were in many cases inoperative. But the principal flaws in this important measure were the above-mentioned "contracting-out" clauses. In thousands of instances tenants accepted the leases that discharged their claims to tenant-right, or contracted themselves out of the benefits of the Act; whilst in some cases they were influenced by pressure on the part of their landlords, who in their scuffle for rent sometimes forgot the principles of justice. A further consequence of the Act was that the tenants, in view of the additional interest it gave them in their holdings, borrowed largely on their new security, and this gave birth to the "gombeen man" or local usurer, who, like the rest of that ill-favoured brood, grew sleek upon the improvidence of his clients, and became more insolent as his dupes became more fooled.^{1 2}

Bright, who was generally admitted to have studied the Irish land question more deeply than any member of the Government or any other man of equal mark, said in a speech at Birmingham in 1869—

"This land question is a very awkward question; I have often travelled along a road and seen a hill a mile off that looked very steep, and I wished I was on the other side of it, but in coming to the foot of the hill, the slope appeared much more gradual and I got over without the difficulty I anticipated. The Irish land question is not at all that sort of question. It has looked to me a difficult question for twenty years; for during all that time I have had it before me, and I have considered it; and I am, I will say, if you like, modest enough to confess that when I get nearer the question, and endeavour to discover how it is to be dealt with, it appears to me steeper and more difficult than ever it did before. Although there is no reason why a Protestant landowner and a Catholic tenant might not be the best of friends, yet, when we have had a perpetual war for 200 years in Ireland on this very question of Protestantism and Catholicism, you may be quite sure that that has done something to poison the relations between the owner and

¹ Appendix LXVB, quotation from A. G. Richey, the Irish historian.

² Appendix LXVC, epitome of John Bright's, Isaac Butt's, and Lord Dufferin's schemes of land reform. See also Lord Dufferin's *Irish Emigration and the Tenure of Land in Ireland*.

the occupier of the soil. Then this proprietary right in Ireland has its origin mainly in confiscation, and has been created and was only to be justified by conquest. And in addition to the original evil, the proprietors had not sense enough to see that the evil was sufficient for them, but they added to it 100 years of the most odious cruelty and persecution during the existence of the penal laws. Therefore the original grievance was made ten times more bitter than it would otherwise have been by the persistent folly of the proprietary class, working as they did through a corrupt Parliament in Ireland, and also through the governing power in Great Britain."

Bright's tangible legacy to his fellow-countrymen is the volume of his speeches, but he has also left them a heritage which is intangible, and which now forms part of the very texture of our race; a tradition which will inspire and guide the artisan and breathe fresh life into the spirit of universal freedom, when all the vicissitudes of that statesman's history, when perhaps the very memory of his existence have been swept into oblivion. He exalted the moral vision of the working population of his country and enlarged the sweep of their aspirations—the aspirations of those men who toil and sweat, and are apt to be forgotten and even despised, but who form the backbone of the nation, and without whom the little tailor-made, chattering, ape-like section of society that composes the froth and bubbles of human energy, and directs its small intelligence to devising shows, and mock-heroics, and worse things, would soon cease to exist. That noble ideal of impartial and high-souled government by the majority of the whole body of the people for the general good of the community, without distinction of class or wealth, but with every distinction of merit and high character—that majestic ideal was ennobled by Bright and enshrined in the hearts of many sufferers and toiling men yearning for better times, and left to the working millions as his legacy and their heritage, to be eventually made use of for their emancipation. They will not waste it.

CHAPTER XIV

INTERMEDIATE EDUCATION ACT OF 1878

"But not only has Ireland a just claim not to have her education determined by the 'Protestant feelings' of Great Britain. She has a just claim not to have it determined by other feelings, also, of our British public, which go to determine it now. She has a just claim, in short, to have it determined as she herself likes."—MATTHEW ARNOLD (*Irish Essays*).

THE National System of Elementary Education inaugurated by Stanley in 1831 had, as we have seen, been riddled with reproach. In 1844 the State grant which fed it had been increased and with it the discontent, and in 1850 it had been condemned without much ceremony by the Irish bishops at Thurles. Although its votaries for a long time struggled to ignore the unpalatable truth, they were at length forced to confess that it had grown out of favour and become an object of suspicion to the alert leaders of Catholic Ireland. The latter, indeed, had every cause from a religious point of view to distrust the system, as it existed in 1850, for the Catholic Commissioners on the directing Board were only two; whilst their Protestant and Presbyterian colleagues numbered no less than five, and this at a time when at least three-fourths of the children in the Primary schools belonged to the Catholic faith. Moreover the secular instruction, which had to be given without distinction to Protestants and Catholics sitting together, had assumed by degrees a sectarian taint; extracts from the Bible and certain religious works of a Protestant complexion having been gradually and insidiously admitted into the schools, which by this means underwent a subtle transformation in regard to their main principle of undenominationalism. In addition to this the Board of Directors had injudiciously acceded to the request of the Irish Presbyterians, who had objected to a day being set apart for separate religious instruction, a rule which up till then had been observed, and the Catholic bishops had consequently taken umbrage and lodged a protest against the further infringement of the original contract. Under such circumstances had the antagonism been bred, which finally culminated in the condemnation of the whole system at Thurles, and this change of opinion was strengthened by Cullen,¹ a zealous Romanist, who succeeded Dr. Crolly² in

¹ Paul Cullen (1803-1878). Created a Cardinal in 1866.

² William Crolly (1780-1849).

the see of Armagh in 1849 and became the virtual head of the Irish Catholic prelates.

Various concessions were afterwards made to Catholic susceptibilities, and the system of elementary education was led back to the form in which its founders had primarily intended it to work. The Catholic Commissioners on the Board were made equal in number to their colleagues of the other faith; secular instruction, purged of the spirit of proselytism, was rendered genuinely secular, and books tinctured with sectarianism were excluded from the schools where children of both denominations were educated together. But with all this the system failed. The Catholic and Protestant temperaments were and always had been strangely incompatible and suspicious of one another. The two religions preached diametrically opposed doctrines of moral duty, of honourable conduct, and of personal responsibility; and like oil and water, they might be enclosed in the same vessel, but could never be made to mix. So was it with the vessel of the Irish elementary schools. Separate religious instruction did not flourish in them, and they not only failed to reconcile in any discernible degree the young of the divided faiths of Ireland, but the insidious element of disruption served rather to drive them asunder. The system, it is true, although disliked, was accepted, as a farthing rushlight is better than no light at all; but its growth was exotic, not indigenous to the Irish soil, and had it not been for the subventions of the State, its breath would have become exhausted in the body, and the blood ceased to flow in its veins. The chief proof of this was that the sectarian schools, in which religion formed a large part of the educational course, were, although supported by voluntary funds, everywhere to be met with in Ireland, whilst an education rate in support of the unsectarian National Schools would without any doubt, if collected at all, have been fiercely and perseveringly resisted.

This was the condition of State-fed Elementary Education, but intermediate education for Catholics had not the support of State subsidies at all. It had experienced the lot of other Irish institutions which Dublin Castle had lacked the patience to investigate, the knowledge to judge, and the healthy inclination to ameliorate, and had consequently been greatly neglected. The Diocesan Schools of Elizabeth were nearly all of the secondary type, but they were always few in number and at this time rapidly disappearing. A laudable attempt was next made by the two first Stuarts to establish secondary education in Ireland on a larger scale, and they had founded the "Free Royal Schools" at Armagh, Cavan, Dungannon, Portora, and Raphoe, endowing them with lands equivalent to about £6,000 a year. Then came Erasmus Smith, who established three grammar schools, and granted valuable estates for their support. A considerable

number of secondary schools were also founded, from time to time, by charitable Protestants, and of these Kilkenny College was the most conspicuous; but these seminaries, although nominally open to members of different creeds, became during the Catholic tribulation of the eighteenth century restricted to the dominant sect. After the relaxation of the penal code the Irish Catholics began themselves to establish secondary schools, and although they received no support or encouragement whatever from the State, some of them flourished and did excellent work. A number, too, of secondary schools, the majority of which were for Presbyterians, were established in Ulster; some of these became strictly sectarian, others remained open to all faiths, whilst some received, and others not, pecuniary assistance from the State.

There was no Catholic University to support such a system, and without that support it could not properly exist. The Ascendency, on the other hand, possessed their intermediate schools, which were not only plentifully endowed by the State, but backed by Trinity College, Dublin, the only university which existed previous to 1850, the aspirations of the Catholics in respect to University Education remaining wholly unsatisfied between 1850 and 1879. But in spite of the encouragement they received from the State, the Episcopalian intermediate schools had declined for the ten or fifteen years prior to 1878, whilst the Voluntary Catholic intermediate schools had increased. According to the report of the Irish Census Commissioners of 1871—

“The Roman Catholics, wholly dependent upon voluntary effort, and, at the same time, the least wealthy of the population, have increased the number of pupils receiving intermediate instruction (between 1861 and 1871) in the ratio of 2·5 per cent. The non-Episcopalian Protestants, almost equally unendowed, but better circumstanced pecuniarily, show the signal increase of 11·9 per cent.; while the Episcopalian Protestants, whose private means are immeasurably largest, and who have the practical monopoly of State endowment, disclose the wonderful decline of 14·5 per cent. Their endowments, therefore, absolutely barren for the rest of the population, are ceasing to fructify for the Protestant Episcopalians themselves.”

It was therefore patent that the State-endowed intermediate instruction in Ireland was in process of decay, and that the whole system, as Lord Cairns said, was “bad in quality and deficient in quantity.” Thus out of a total population of five and a half millions, in 1871, only 10,814 boys were learning Latin, Greek, or modern languages. That is to say, while in England ten or fifteen in every 1,000 were instructed in these languages, only two in every 1,000 were instructed in them in Ireland, and the system that had for some time worn an aspect of ill-health, was gradually becoming worse. Thus, while the total number of secondary schools in Ireland in 1861 had

amounted to 729, ten years later it had fallen to 574. A Commission had been appointed in 1854 for the purpose of examining into and reporting upon the system, as it existed at that period, and its report had laid bare in all their nakedness its deficiencies and errors. But nothing had been done. At length a second Commission reported still more unfavourably in 1878, and the doctors having been pushed unwillingly into the sick room, a medicine had to be prescribed and a diet suggested. The Act, which passed that year under Disraeli's Government, and which established the system of non-sectarian intermediate education, was due to the inspiration of Lord Cairns, a man of powerful brain and philosophical breadth of view. It breathed life into the torpid body that had hung upon the Exchequer with a dead weight of inutility, and gave an impulse to secondary schools by introducing a system of competition between them.¹

The main provisions of the Bill were as follow. A sum of a million sterling was to be abstracted from the Disestablished Church Fund and devoted to the purposes of the new system. A Board was to be formed, called "The Intermediate Education Board of Ireland," seven members of which were to be appointed by the Lord-Lieutenant. A system of exhibitions and prizes for students, and the payment of result-fees to their teachers, was to be established, and examinations were to be held by examiners appointed by the Board in June and July each year at convenient centres throughout the country. The Board was not to assume any responsibility in regard to the management of any of the schools, but the three following rules were in all cases to be observed:—(1) Students were obliged to have belonged to some intermediate school from the 15th of October of the year prior to the examination, and to have attended at least 100 times; (2) Students prepared exclusively by private tutors were not to be eligible; and (3) no result-fees were to be paid to the managers of schools, where religious instruction was imposed contrary to the sanction of parents, or where the hours for such instruction were so arranged as to trench upon the time allotted to secular study.

Lord Cairns' scheme undoubtedly gave, as he had intended, an impulse to secondary education by the introduction of competition between the schools, and denominations of every shade made use of its provisions; but the attendance of pupils experienced a material decline after 1881 on account of the diminution in the number of prizes and the amount of result-fees. In 1885 the system was revised with a view to rendering the machinery easier to work, but little advantage was derived from

¹ In introducing his measure Lord Cairns said—

"This Bill is the necessary preliminary to a great measure dealing with higher education, the need for which is acknowledged in all political parties. This important Bill is the building of the walls of which a University Bill will be the roof."

the alterations. There is little doubt that the result-fees greatly contributed to the educational decline of, and loss of confidence in the Intermediate Schools. The zeal of the teachers was directed to the fees rather than to the intellectual culture of the pupil. He was stuffed to bursting for the purpose of winning a prize for the owners, and not reared with the view of fitting him for arduous competition in after life. This was the radical fault of the Irish Intermediate System.¹

ESTABLISHMENT OF THE ROYAL UNIVERSITY, 1879²

"When I consider how munificently the colleges of Cambridge and Oxford are endowed, and with what pomp religion and learning are there surrounded; when I call to mind the long streets of palaces, the towers and oriels, the venerable cloisters, the trim gardens, the organs, the altar-pieces, the solemn light of the stained windows, the libraries, the museums, the galleries of painting and sculpture; when I call to mind also the physical comforts which are provided both for instructors and for pupils; when I reflect that the very sizers and servitors are far better lodged and fed than those students who are to be, a few years hence, the priests and bishops of the Irish people; when I think of the spacious and stately mansions of the heads of houses, of the commodious chambers of the fellows and scholars, of the refectories, the combination rooms, the bowling-greens, the stabling, of the state and luxury of the great feast days, of the piles of old plate on the tables, of the savory steam of the kitchens, of the multitude of geese and capons which turn at once on the spits, of the oceans of excellent ale in the butteries; and when I remember from whom all this splendour and plenty is derived; when I remember what was the faith of Edward the Third and of Henry the Sixth, of Margaret of Anjou and Margaret of Richmond, of William of Wykeham and William of Warnefleet, of Archbishop Chicheley, and Cardinal Wolsey; when I remember what we have taken from the Roman Catholics, King's College, New College, Christchurch, my own Trinity, and when I look at the miserable Dotheboys Hall which we have given them in exchange, I feel, I must own, less proud than I could wish of being a Protestant and a Cambridge man."—THOMAS BABINGTON MACAULAY, House of Commons, 1845, on the Maynooth Bill.

"I believe the first words I gave utterance to when I took my seat on this side of the House conveyed an expression of my opinion that the higher education of the Roman Catholic population could not be left in its then unsatisfactory condition. I am of opinion that there is but one mode by which you can supply the grievous want so long complained of by the Roman Catholics—namely, that they cannot enjoy the advantages of a higher education under the influence of their priesthood—and that is by the establishment of a Catholic University. I want to know on what principles of justice—of which we hear so much—can such a proposition be refused."—BENJAMIN DISRAELI, on the debate on Lord Mayo's announcement of the Government proposals, 1868.

Since 1793, the date of the great Catholic Relief Act, the Roman Catholics had been allowed to graduate at Trinity,

¹ In 1900 the Intermediate Education Board had a yearly income of £34,000 besides local taxation revenues amounting to £74,143. In that year 7,608 students (5,611 boys and 1,997 girls) presented themselves for examination, as compared with 7,768 in the previous year, and 6,952 in 1881. In 1900 results-fees amounting to £56,158 were paid to the managers of 363 schools.

Appendix LXVD, quotation from *Leader* of Dublin, and extract from Bishop O'Dwyer's evidence before University Commission of 1901.

² The Report of the Royal Commission on University Education in Ireland, together with the minutes of evidence, 1901-1903; as well as the Report of the Royal Commission on Trinity College, Dublin, and the University of Dublin, together with the minutes of evidence, 1907, are well worth reading in connection with this subject.

but to hold neither scholarships nor professorships there. The College of Maynooth had been incorporated by law in June 1795, with an annual grant of £8,000, for the education of the Irish priesthood, but being an impecunious establishment to start with and miserably endowed, the Irish Catholic clergy had for many years been drawn from the ranks of the lower middle class, especially from those of the large Irish farmers. That is to say, the class of men who so largely influenced Irish life had not the education nor the status derived from superior culture to enable them to raise the character of their flocks, or direct their aspirations to exalted ideals. In 1795 Fitzwilliam the Lord-Lieutenant,¹ had proposed, and his successor Camden² had approved an additional grant of £2,000 to Maynooth, but in 1808 the allowance had been reduced to £9,000 a year, which was a mere pittance under the circumstances. That this should have been the state of Catholic University education up to 1845 was a stigma and reproach, but was consistent with the popular theory that the Irish Protestant was necessarily a superior creation to the Irish Catholic, that the one might graze upon his clover and the other pick up nettles where he could.³

At length, in 1845, an increased grant was advocated by Peel on the ground that it would raise the status of the Catholic clergy, and, by adding largely to the resources of Maynooth, attract within its walls the better cultured and less indigent classes. By the terms of Peel's grant, a sum of £30,000 was to be given to improve the buildings at Maynooth and to erect new ones, whilst the Board of Works was to be responsible in future for keeping them in repair. The salaries of the professors were also to be increased, and the annual grant was to be raised from about £9,000 to about £26,000, and to be an absolutely secure gift charged on the Consolidated Fund. The number of students attending the institution at any given time was to be limited to five hundred. In consequence of the introduction of the Bill Gladstone resigned. He gave the measure his support, but, in view of the opinions which he had so often expressed in public unfavourable to a policy of the kind, he felt that he could not consistently or honourably remain a member of the Government that passed it. The very idea of an increased grant raised a storm of fury in many breasts; 5,883 petitions, such was the unwisdom of people when they stooped to intolerance, being presented against the Bill on ten different days. Vast public meetings to remonstrate against the measure were held all over the kingdom—a violent one at the London Tavern, the requisition for which was signed by upwards of one hundred of the

¹ William Wentworth Fitzwilliam, second Earl Fitzwilliam (1748-1833).

² John Jeffreys Pratt, second Earl and first Marquis of Camden (1759-1840).

³ Appendix LXVE, extract from speech by John Bright.

merchants, bankers, and traders of London, leading the way. The first resolution passed at the Tavern declared the proposed grant to be a renunciation of Protestantism, upon which the Empire had flourished; and the mover, suddenly initiated into the mysteries of the Divine economy, took upon himself to declare that the grant was directly opposed to the revealed will of the Creator. The Dublin Protestant Operative Association in the turbulence of their virtue even demanded the impeachment of the Prime Minister, whilst one preacher compared him to the young man void of understanding who fell a victim to the woman with the attire of a harlot.¹

Bright, who did not oppose the passing of the measure, welcoming, as he did, even an insufficient relief rather than none at all, but who understood more clearly than the majority of members the main motive of this sudden flow of charity, said, on the 16th of April, during the debate on the second reading—

“But the object of this measure was just as objectionable to me when I learned that it was intended by this vote to soothe the discontent which exists in Ireland. I will look at the causes from whence this discontent arises. Does it arise because the priests of Maynooth are now insufficiently clad or fed? I have always thought that it arose from the fact that one-third of the people are paupers—that almost all of them are not in regular employment at the very lowest rate of wages—and that the state of things amongst the bulk of the population is most disastrous, and to be deplored; but I cannot for the life of me conceive how the grant of additional money to Maynooth is to give additional employment, or food, or clothing to the people of Ireland, or make them more satisfied with their condition. I can easily see how, by the granting of this sum, the Legislature may hear far less in future times of the sufferings and wrongs of the people of Ireland than they have heard heretofore; for they may discover that one large means of influence, possessed by those who had agitated for the redress of Irish wrongs is to be found in the support which the Irish Catholic clergy has given to the various associations for carrying on political agitation; and the object of this Bill is to tame down those agitators—it is a sop given to the priests. It is hush-money, given that they may not proclaim to the whole country, to Europe, and to the world the sufferings of the population to whom they administer the rights and the consolations of religion. . . . Their object is to take away the sympathy of the Catholic priest from the people, and to give them more Latin and Greek. The object is to make the priests in Ireland as tame as those in Suffolk and Dorsetshire. The object is that when the horizon is brightened every night with incendiary fires, no priest of the paid Establishment shall ever tell of the wrongs of the people amongst whom he is living; and when the population is starving, and pauperized by thousands, as in the southern parts of England, the priests shall not unite themselves with any association for the purpose of wrest-

¹ Appendix LXVF, extract from speech by Macaulay.

ing from an oppressive Government those rights to which the people have a claim."

Bright's speeches should be studied by every Briton. He was a natural orator, unsurpassed by any other statesman of the age in dignity of diction, in purity of style, in intensity of feeling, and in the lofty moral sentiment which streaked his enthusiasms like a vein of fine gold. What a breadth of generous passion there is in his appeals to the better side of man's nature! What a glowing sympathy for the humbler classes of his fellow-citizens! What a righteous indignation at the inequalities of human society! There was nothing base in John Bright. He took suffering humanity to his breast and wept over it, and the fountains of his compassion gushed out through all the fervour of his eloquence, and now gild the memory of his name. We think we can see the majestic head, the impassioned presence, the lip curling in powerful scorn, the flashing eye, the indomitable mien. We think we can hear those trumpet tones in the growing stillness in the audience, as the dramatic quiver in the voice betrayed the approaching hurricane, and the deep-drawn breath of exhausted wonder as the great orator poured forth all the unstinted riches of his imagination. He has not yet obtained his due. His speeches will outlive all those of his contemporaries, and with Canning's orations be some day recognized as the forensic masterpieces of the nineteenth century. In the above quotation he touched the keynote of the policy of the Bill. The boasted munificence of the slow-deciding Peel was really a gagging measure. The grant was thrown to the priests to muzzle their discontent—a discontent that acted like a charm upon the other elements of Irish disorder, which have nearly always proved to be sluggish by nature until fanned into flame by the ecclesiastics.

At length Peel's Bill emerged from the Lower House, and proceeding through all its stages eventually passed into law to the disgust of those knee-scrappers of Exeter Hall, who, turning up their eyes and working their lantern jaws, devoutly hoped that in paradise at least there might be no free quarters for the Catholic dog.

During the same year Peel introduced and carried a Bill for the establishment of Queen's Colleges. Elizabeth had founded Trinity College in Dublin towards the close of her illustrious reign.¹ She had intended it to be open to students of every race and faith, and to develop eventually into a university containing colleges of its own. But during the century of persecution which the Catholics underwent after the revolution of 1688, it

¹ In 1591—"quod nullum Collegium pro Scholaribus in bonis litteris et artibus erudiendis intra regnum nostrum Hiberniae adhuc existit."

had become an exclusively Protestant place of learning, its dignities, honours, and even its teaching being reserved to members of the Established Church. In 1793, when finally the Irish Parliament passed the great and long-delayed measure of Catholic relief, the college made Catholics eligible for its degrees and minor prizes; and from this time onwards it received Catholics within its precincts, Presbyterians having been admitted some years before. The numbers of its Catholic members, however, were never large, and they necessarily found themselves in an inferior position, for professorships, fellowships, and scholarships were closed to them, and the whole environment of the college was Protestant, nay even anti-Catholic, in much of its teaching. In 1834 Sheil asked for leave to introduce a measure to admit Catholics and other Dissenters to the foundation scholarships and the professorial chairs of Trinity College, but his proposal was opposed by the representatives of the University and abandoned. In 1843-4, after a vain attempt had been made by Denis Caulfield Heron, a Catholic, to persuade the authorities to relax the statutory restrictions on the admission of Catholics as scholars on the foundation, he (Heron) was instrumental in inducing them to endow some non-foundation scholarships which Catholics were enabled to compete for, but this was the last concession made by Dublin University until the abolition of tests in 1873.

By Sir James Graham's Bill, which was introduced on the 9th of May, 1845, under the title of "An Act to enable Her Majesty to endow new Colleges for the advancement of learning in Ireland," Trinity College remained unaltered, but it was resolved to establish and endow places of learning to be popular supplements to it for the benefit of those students of the Catholic faith who up till now had been placed at an unfair disadvantage. Three colleges were therefore to be founded, one in the North of Ireland, in Belfast,¹ another in the West, in Galway,² and the third in the South, in Cork,³ at a gross cost of £100,000,⁴ in which a liberal and comprehensive academical education was to be afforded to young men of every religious denomination, without distinction. A sum of £7,000 was to be devoted annually out of the Consolidated Fund to the

¹ In 1901-2, the total number of students was 349, of whom 302 came from the Province of Ulster. Their denominations were Presbyterian (217), Episcopalian (69), Roman Catholic (17), Methodist (20), other (26).

² In 1901-2, 93 students attended—40 Presbyterians, 35 Roman Catholics, 14 Episcopalians, and 4 Wesleyan Methodists.

³ In 1901-2, the number of students was 190—118 Roman Catholics, 59 Episcopalians, 4 Presbyterians, 6 Wesleyan Methodists, and 3 others.

⁴ This sum of £100,000 was supplemented before the Colleges were opened in 1849 by a grant of £12,000 for the outfit of Museums, Libraries, and other departments; and after 1854 each College received an annual Parliamentary grant of about £1,600 in aid of expenses of maintenance.

maintenance of each of them, and they were to be affiliated to a central university empowered to grant degrees, which the Crown could of its own prerogative set up in Dublin, and which in the shape of the Queen's University was finally established in 1850. The instruction, modelled on very similar lines to those of the National Schools, was to be purely secular; professors to be appointed by the Crown could be of all persuasions, and, as in the case of the National Schools, the youth in the colleges were to be taught together; but no real provision was made, although facilities were no doubt afforded, for giving religious instruction to the pupils apart, and residence in the colleges was not even required. The flaws in this measure, which was extravagantly described by Sir Robert Inglis,¹ a member of the Opposition, as a gigantic scheme of godless education, were palpable; for was it within the realms of possibility that lectures on such subjects as philosophy, metaphysics, modern history, and physical science could be delivered before combined audiences of Catholics and Protestants without wounding the doctrinal susceptibilities of either? Moreover, it was clearly impossible to exclude religious instruction from a course of study, the object of which was to prepare men for the struggle of life, without a shock to the feelings of many parents and undergraduates. The scheme was therefore considered godless by the High Church Party, led by Sir Robert Inglis, and after being rejected by the Irish Catholic bishops, was, like its educational relative, placed under the ban at the Synod of Thurles in 1850.² Soon afterwards the Catholic bishops founded an Irish University of their own, but it was unable to confer degrees, and, as it received no pecuniary or other assistance from the State, slowly languished for want of nourishment.

The Queen's University, to which the three colleges were to be affiliated, was finally established by 1850. It possessed the power of granting degrees to students who had completed their studies in Belfast, Cork and Galway. The four institutions were endowed at the rate of £30,000 a year, and watched over by the State with all the fond solicitude of an anxious parent. But the offspring was tainted with an hereditary disease. Belfast College happened to fall in with Presbyterian ideas, and was consequently a comparative success, but those of Cork and Galway proved lamentable failures. It was on the question of the foundation of the Queen's Colleges that O'Connell and the

¹ Sir Robert Harry Inglis (1786-1855). Member for Oxford University, out of which he had turned Sir Robert Peel in 1829.

² The first rescript from Rome, dated October 9, 1847, described the colleges as involving 'grave danger to the faith of Catholics.' The next rescript, dated October 11, 1848, described the danger as 'intrinsic.' The third rescript, dated April 18, 1850, forbade priests to accept appointments in the Colleges, and directed the Bishops to 'frame rules to be observed everywhere, for withholding the faithful from frequenting the Colleges.'

party of Young Ireland finally parted asunder for all purposes of efficient co-operation. O'Connell had opposed Peel's measure, detecting in it, as he thought, a tendency to secularize education and to knit together the Catholic and Protestant in one system, so as to disarm the former of his weapons of offence. The Young Ireland Party, on the other hand, represented by Davis and Duffy, together with the Protestant members of the Repeal Association, supported the Bill for this very reason, anxious as they were to combine all sects and races in one great struggle against British rule, and they were joined in their support of the Bill by the Catholic Primate, Dr. Colly, and the Catholic Archbishop of Dublin, Dr. Murray.¹ The majority of the hierarchy, however, led by Archbishop Machale² of Tuam, joined O'Connell in opposing it. This division of the faggots made them easier to break.

In 1854 an independent university, which we have already referred to, was founded by the Catholics to fill the void in their educational system. The Queen's Colleges had met with the same disapproval at Thurles as the National System of Primary Education. In fact, the Catholic case was stronger in the former than in the latter instance; for the Commissioners of National Education had decided in 1853 to discontinue, as offensive to Roman Catholics, certain religious books which had been in use in the schools, and presumed to be of a non-controversial character, and Archbishop Whately, Lord Chancellor Blackburne, and Baron Greene had at once resigned, alleging that the Roman Catholic had broken faith. Moreover, as has been already said, secular instruction in metaphysics, moral philosophy and kindred subjects could not by any conceivable method of interpretation be given to united classes of Protestants and Catholics without wounding the religious susceptibilities of one or the other. The Irish bishops, therefore, took the matter into their own hands and placed at the head of their new establishment John Henry Newman,³ the man who in discrediting Charles Kingsley's⁴ aspersions, built himself a monument, and who remains to this day one of the most consummate masters of English style, one of the subtlest and most persuasive reasoners, and one of the most striking characters in the whole domain of English literature. The Board of this new university, which comprised the faculties of theology, law, medicine, belles-lettres, and science, consisted of the four archbishops and two other prelates for each province. Its government was carried on by a committee of archbishops and bishops meeting once a

¹ Daniel Murray (1768-1852).

² John Machale (1791-1881).

³ John Henry Newman (1801-1890).

⁴ Charles Kingsley (1819-1875). It was Kingsley's pamphlet, "What, then, does Dr. Newman mean?" which called forth the "Apologia."

year; the immediate and ordinary administration being conducted by the "Senate" of the university, consisting of the rector and vice-rector, the secretary, the professors, and the superiors of certain institutions dependent on the university and the Fellows; whilst an annual collection, made in every diocese, provided for the expenses of the foundation. As far as Catholics were concerned, the Queen's Colleges and University were completely superseded by this new establishment, although for many years it was debarred from even affording a road to a degree, and did not receive any financial or other support from the State, being maintained exclusively by voluntary offerings.¹ Trinity College, meanwhile, fed from the public purse, remained a Protestant institution. Its honours and privileges were withheld from the Irish Catholic, and the door of its governing body was shut in his face.

Several attempts were made to remedy this grievance, but for a long time without effect. In April 1854 a Bill was introduced by Fagan, member for Cork city, to throw open Trinity College in every respect to students and professors of all denominations, but the forces of bigotry were arrayed against Fagan, and his Bill, like Sheil's measure of 1834, had to be abandoned. In 1865 a demand was openly made in Parliament in a motion by the O'Donoghue for the grant of a charter to the Catholic University, and Sir George Grey, the Home Secretary in the Palmerston Government, undertook to devise some means by which those who declined to go to the Queen's Colleges or Trinity College, could obtain degrees. In 1866 Lord Russell's Government, therefore, conceived the device known as the Supplemental Charter to the Queen's University, which opened a way to a degree without having to pass through the 'godless' colleges. It enabled the governing body to grant degrees to students who passed a qualifying examination without belonging to those suspected institutions. The Government also undertook to submit a Bill to place these graduates in the same position as all other graduates of the University, and, further, to create Scholarships and Bursaries open to all who were connected with it. They also stated their intention of giving a Charter of incorporation to the Catholic College in connection with the Queen's University. On June 18, 1866, they were defeated on their Reform Bill, but, before resigning,

¹ Up to 1882 it consisted of the Catholic University College, and the Catholic School of Medicine, founded by the Roman Catholic bishops in 1855, both in Dublin, as well as St. Patrick's College, Maynooth, founded in 1795. The establishment of the Royal University in 1879 diminished its importance. Its constitution was remodelled, and at the end of the century it consisted merely of an association of independent collegiate organizations, namely, University College, Dublin (formerly known as the Catholic University College), the Catholic University School of Medicine, Cecilia Street, Dublin; St. Patrick's College, Maynooth; University College, Blackrock; Holy Cross College, Clonliffe; and St. Patrick's College, Carlowe.

they issued the Supplemental Charter. It contained, however, very few of the promises that had been held out, and merely empowered the Senate of the Queen's University to grant degrees to persons outside the Queen's Colleges. The Charter was scarcely issued before its validity was disputed, and after a good deal of litigation it was set aside by the Courts. This led to a motion by Henry Fawcett,¹ in 1867, for opening up the Fellowships and foundation scholarships of Trinity College to all persons, irrespective of their religious faith. Monsell (afterwards Lord Emly) met this with an amendment for the establishment of a second college in connection with the University of Dublin. But after a lengthy debate the amendment was withdrawn, and Fawcett's motion was defeated by the Speaker's casting vote. Lord Mayo, however, who was at that time Chief Secretary, promised on behalf of the Government that something should be done to redress the grievances felt by Catholics in respect of University education, and in accordance with this pledge he announced in 1868 that the Government intended to grant a Charter to a Roman Catholic University. But his proposals were not received with welcome by many of his own party, and were therefore leisurely abandoned. On the failure of Mayo's proposals, the disappointed Catholic laity drew up a public declaration, urging that perfect religious equality involved equality in all educational advantages afforded by the State, and the argument being incontrovertible was left without an answer.² Henry Fawcett also was not idle. In July he moved a resolution in the Lower House for the abolition of all tests in the college, but the authorities were obdurate, and after a wind of words the motion was withdrawn. He again brought it forward the following year, but once more with a like result. Public opinion, however, was growing in his favour,³ and when he revived the question in April 1870, Plunket, member for the University, supported him, an unmistakable sign that the reform was not far off. Thus Trinity College continued to be, as far as Catholics were concerned, a one-sided arrangement. It still remained a Protestant foundation with its governing body wholly Protestant, and nearly all its prizes confined to the favoured caste. Catholics, it is true, were often admitted within its walls, and were able to take advantage of the education afforded there, but, as its teaching was directly Protestant and even anti-Catholic in part,

¹ Henry Fawcett (1833-1884). At this time one of the members for Brighton. Became Postmaster-General in Gladstone's Government in 1880.

² The men who were chiefly instrumental in organizing the declaration were Richard More O'Ferrall, Monsell (afterwards Lord Emly), Major Myles O'Reilly, and the O'Connor Don.

³ Trinity College ever since 1869—the year of disestablishment—had asked Parliament for power to admit Catholics to her fellowships and emoluments.

it repelled far more Romanists than it attracted. Meanwhile the Queen's Colleges and University preserved their original character, being secular places of learning, in which religious instruction, unrecognized by the State, was only afforded through occasional private initiative, whilst Catholic Ireland had determinedly turned her face from them since the decree went forth from Thurles. The Catholic University was still excluded from the ring formed by these State-fed establishments, and continued to be supported by the alms of a poor but enthusiastic communion. The work it did was not discreditable considering its means. It loved its members and was eager to see their development, but was too lamentably unorthodox to be able to confer a degree. What say we? Too lamentably unorthodox to be allowed to confer a degree? Why certainly. No one in his senses could expect this triple-bound heresiarch to rear its children in the love of the moral law or fit them for the work of life, when even Oxford had its lapses, when even Oxford, the professorial, all-that-could-be-desired Oxford, cradled in the lap of orthodoxy, feeding on its many thousands sterling, was unable to retain within the fold one of the fairest of her sons, John Henry Newman. It was not likely.^{1 2}

At length Gladstone, determined to fell the third branch of the fatal Upas tree, brought in a measure of University Reform. His Bill, which was introduced on the 13th of February, 1873, provided for the creation of a National University, which was to be clothed with a general control over Irish education. To secure this, the University of Dublin was to be separated from Trinity College, and the powers vested in the Provost and Fellows of the latter were to be handed over to the new governing body. Trinity College was to surrender a sum of £12,000 a year to the new University—that is to say, more than a fourth of her endowments. The Theological Faculty of the University of Dublin was to be severed both from Trinity College and the University. The Queen's University and the Queen's College, Galway, were to be dissolved, and the Colleges at Belfast and Cork, as well as the Catholic University College and Magee College, were to become Colleges of the new University of Dublin. The positions of the colleges dependent on this national institution were at the same time to be very different. Trinity College was to be thrown open to every one; its prizes and honours were to be accessible by all who entered its precincts, without regard to creed, and, with the exception of the above-mentioned annual £12,000, it was to retain its endowments intact. The two Queen's Colleges were

¹ Appendix LXVI, quotation from Matthew Arnold.

² See the Minutes of Evidence in the Appendix to the first report of the Royal Commission on University Education in Ireland, 1901.

also to be subsidized as before by the State. The Catholic University, on the other hand, was to be left empty-handed as far as the State was concerned, and to stand upon its own unpaid foundations and rear its free head, and this was also to be the case of the other dependent colleges of a sectarian character.

The new University, in which there were to be no religious tests for either teachers or taught, was to be alone empowered to confer degrees, and instruction was, as in the case of the National System, to be united and strictly secular; any religious teaching there might be being given apart and treated as a purely college subject without any countenance from the State. Moreover—and here the light of legislative genius broke forth in pristine splendour—in order that secular education might be purely secular, modern history, and mental and moral philosophy were to be excluded by a “gagging clause” from University teaching! Voluntary examinations could indeed be held in them, and they could be taught in the colleges, but history and philosophy were to be put under the University ban, and the Faculty of Theology transferred to a representative body of the Disestablished Church, together with a fund for carrying out the purposes for which the Theological Faculty had hitherto existed. By the second “gagging” clause a teacher or other person of authority might be suspended or deprived, who should in speaking or writing be held to have wilfully given offence to the religious convictions of any member.

The Government of the University, which was to be a teaching as well as an examining body, was to be vested in a council of twenty-eight ordinary members to be named in the Bill, in part nominees of the Lord-Lieutenant, and partly the heads of the institutions to be connected with it. Future vacancies were to be filled up for ten years by the Crown and by co-option alternately, and after that time four members were to retire annually—one successor to be named by the Crown, one by the Council, one by the professors, and one by the Senate. In addition to the ordinary members, the affiliated colleges were to be allowed to elect one or two members of Council according to the number of pupils in each college. The money to sustain the University, amounting to £45,000 a year, was to come in proportionate allotments from the revenues of Trinity College, the Consolidated Fund, the fees of the students, and the surplus of Irish ecclesiastical property. Trinity College and each of the other affiliated colleges were to be allowed to frame schemes for their own government.

Cardinal Cullen was extremely hostile to the Bill, but he hinted to Lord Spencer that he would be satisfied with a sum down to redress the inequality or a grant for public buildings.

Manning,¹ on the other hand, was in favour of the measure. On March 3, 1873, the debate upon it began, and Gladstone announced to the Queen his intention to retire from political life should it be defeated. Disraeli said, on the fourth night of the debate, addressing Gladstone—

“You have now had four years of it. You have despoiled churches. You have threatened every endowment and corporation in the country. You have examined into everybody’s affairs. You have criticized every profession and vexed every trade. No one is certain of his property, and no one knows what duties he may have to perform to-morrow. I believe that the people of this country have had enough of the policy of confiscation.”

Who is that man walking on the terrace of the House of Commons, with a face like crumpled linen and a look of unutterable weariness? He is moving languidly and observes every one, although apparently wrapped in some problem of the universe and contemplating the ground in front of him. You cannot take your eyes off him? Well, we are not surprised. That is the sphinx with the master mind. It is Benjamin Disraeli. What an expressionless, impenetrable, mask-like face you say, perhaps. Yes, but the brain behind it is busily weaving a policy as exquisite and subtle as a spider’s web. That indifference of mien is but a cloak. Within that lined and silent bastion there paces an ever-watchful sentinel, who never sleeps at his post, and never moves without a motive. There is no vulgar impulse about Benjamin Disraeli nor enthusiasms that do not pay. Every rung in the ladder has been calculated to a nicety, and now he has reached the top rung, and feels immeasurably weary with the effort and anxiety of getting there. Did you happen to know him in his youth, when he aspired to be a demagogue, or later, when he was a maturer intriguer of middle age? Well, it doesn’t matter, for he was always the same. The oiled and scented locks are not so raven or abundant now; the manipulated frontal curl is thinner and less glossy; the costume is not so wildly extravagant, nor the language. Neither is his ambition quite so consuming, because the thirst has partially been quenched. But the man is verily the same as at the commencement of his long struggle. He was ever a philosopher and dreamer, and is so now. He took the measure of humanity and despised it then, and more so to-day. He had his system for opening the world’s oyster then, and has not parted with it, for it suits all ages and all climes. Tenacious, vigilant, patient, courageous, resourceful, far-seeing and deeply contemptuous of his species: *adversâ rerum immersabilis undâ*. These are some of the qualities he is known by, all of them highly developed and

¹ Henry Edward Manning (1808–1892), at this time Archbishop of Westminster.

cultivated with infinite labour in the stern schools of study and experience. Was there ever such a mad, unorthodox career in English politics? Did ever any man mount so high with so many forbidding obstacles to overcome, with, in fact, all the probabilities of success and all men against him? He started upon his career with an unquenchable faith in his destiny, conscious of unusual and growing powers, and possessed of a heroic and unconquerable patience. 'Disraeli is the cleverest man in England, and the cleverest man in England can always be Prime Minister, if he desires it sufficiently.' That was what he said to his own soul; and later on vengeance bred of insult and repeated failure entered into the composition of his ambition and steadied it. He belonged to the despised and hated race of Jews—a race shunned and vilified by the majority of honest Britishers; a race of greasy usurers, the enemies of the religion of John Bull. The very children in the streets shrank by instinct from the contamination, when they recognized them. Even the wealthiest of them and the most reputable, who made it their sordid business to conform to English ideas and flatter English susceptibilities, were tabooed by the best West End clubs and ruled out of court by public opinion.

And Benjamin Disraeli was one of these, all but in faith, and what did the faith matter? It was the thick racial blood that stank so in the nostrils of the Philistines. He was moreover poor, without hereditary or other influence—an unpardonable offence—and with a personality that was outrageously eccentric. His reputation in a little while was that of an unscrupulous adventurer who would write or speak any vileness for the sake of notoriety and was always spreading the coarse palate of every discontent, his mind filled with one thought only—to raise the latchet of office. A trickster of the lowest political type, a pomaded and advertising charlatan, a fawning opportunist with no pretence of concealment, a man with the tone and manners of a London cad, and the methods of a racing tout.

Then came the next stage. The hired bravo, the disreputable fortune-hunter, has gradually forced himself upon public notice, and, in spite of cruel and brutal rebuffs that would have scorched the heart of most men, holds on with unflinching courage to his purpose. Nothing should now baulk him from planting his foot on the necks of his despisers. The aristocracy of Great Britain, the proud and exclusive territorial families that for centuries had trodden and spat upon his race, were to be driven between the shafts and obey his behests. Could there be a more glaring contrast than the British qualities of the noble English families on the one hand, and the vulgar orientalisms of this upstart mountebank on the other? Could there be a more offensive contradiction than the bluff demeanour and sporting tastes of

the honest English country gentlemen, and the elaborate airs, the profuse and highly-coloured phraseology, the Eastern love of tawdry display, the deeply ironic humour, the subtle vision, and fantastic dreams and conceptions of the great Jew? They could not comprehend his apparently simian love, of mischief. His whole audacious personality grated upon their sensibilities. Not an action but jarred upon them and made them wince. Every attitude he struck, his way of looking at things, his Eastern code of honour and Egyptian incomprehensibility must have set their teeth on edge. Any one of them would have been ashamed of being seen having his beard trimmed by such a fellow. For there was something of the hairdresser and dancing-master about him. The oleaginous smoothness of the man; the unctuous and fulsome tributes to some friend in debate garnished with epithets from a showman's repertory; a manner that might have belonged to a cunning dealer in gems or an impudent auctioneer—they all imparted a colour of unholy unreality and unwholesome veneer to everything he said and did. Until quite late in life he was regarded as the representative of flash jewellery and base coin in the world of politics, most useful, it is true, but only in a tight corner or shady piece of business. So strong and deep did this feeling run that communications between himself and his last official chief were actually made through the medium of a common footman, for no true English noble could so debase himself as to traffic with this Hebrew with his own hands. Insult and contumely, however, he had grown accustomed to. Savage lampoons and degrading caricature had done their best to poison the mind of the public against him, and by dint of many scourgings the lash fell at length on a back of leather. It was part of the price he had to pay for eventual mastery. He bided his time and nursed revenge in his heart. Vindictive he may have been. That was hardly his fault, but though he always remembered an enemy, he never forgot a friend.

And then he reached the third stage, and we see him walking on the terrace of the House of Commons, inscrutable, bloodless, shrouded as ever in impenetrable mystery. He is an old man now and has leapt suddenly into popularity and world fame. No eulogy can be exaggerated. He had always been a hero, and, what is much more astonishing, had always been a gentleman. So said John Bull, and every philosopher laughed at the jest. He ruled the country, and the country was proud to have him as its governor. And the noble families who looked upon the Premiership as their especial prerogative and preserve squirmed and twisted beneath his heel, and called upon their God to witness the infamy and shame of the thing; and searched their thin philosophy, and were utterly unable to understand

how they, men of taste and lineage and good old sporting instincts, could have been condemned to this indignity—to be ordered about, not only by a fellow who was not even one of them, but by a reptile of a Jew. It was no doubt very hard on them and especially hard on their supporters, for what man cares to watch the writhings of the meanest worm? It was exasperating that men of their stamp should have been cowed by a superior intellectual intelligence; that their own ambitions should have been outrun by a more unswerving tenacity of purpose and a courage they had failed to subdue. It was hard, very hard, that their immemorial right to the good things of the State should have been filched from them by a Hebrew conjurer, by the greater adroitness, the more consummate patience of an old Jew. It was unbearable, in fact, that their polished glass surface should have been scored and cut into by a diamond, that ancestral claims should have been forced to bow before the splendid genius of an alien. On the whole, they took it remarkably well before the public. They gnawed their thumbs in private, but smiled and smirked on the platforms in the country. In the secrecy of their chambers they tormented themselves with the thought of their disgrace, and never whispered the name of the Israelite without a curse. Except for that they behaved much as you have seen a batsman behave when he saunters back to his pretty little sisters and cousins after his middle stump has been knocked out of the ground by the first ball. He smiles upon their fair faces with a ready, manly smile and with the bitterness of defeat in his heart.

But the old Jew has now outworn his strength. The disappointments of earlier years were too poignant; the chagrin of early failures has exhausted his physical energy before its time; the contest has been too long drawn out; the strain has been too searching, and he dies in the zenith of his glory to be accounted by those with historical discernment the most remarkable English figure in the nineteenth century. Many of his orations are well worth a little study. As a speaker he was incisive, witty, epigrammatic, with great powers of mockery and sarcasm. In the fine play of debate he was unequalled, and his shafts flew home with a rapidity and deadly aim denied to the blunter points of his opponents. He was a maker and master of political situations, and it only required a crisis, when the scales were trembling in the balance and the fate of a Government was at stake, to call forth that magical faculty of instant decision which on several occasions turned the tables upon the foe and saved his party. His chief asset, perhaps, was the faculty of vision. He was a seer and prophet in an age of commonplace, and saw more clearly and further than any of his contemporaries. He had studied mankind more deeply, and

so knew them better and how to handle them. Unlike Gladstone, he allowed himself time to ruminate upon the vicissitudes of human affairs, and his judgment on men and things are consequently all the more valuable. But he was never fathomed by the British public. To them he was always an insoluble mystery; and, as this was a tacit acknowledgment of their greater mental weakness, it was the chief reason of his own power.

To return—The University Bill of 1873, which was impracticable from the first, for the same reason that the National System and the Queen's Colleges were failures, was, notwithstanding its flaws, a signal mark of Gladstone's courage; for no harder task was ever given to man, and he had to make of it what he could. His whole fervent, aspiring soul was in the work of reform, and he believed that Ireland was about to enter the harbour of perpetual calm. He had already done much for her, but lived in the spirit of one—*nil actum reputans dum quid restaret agendum*.¹

The Roman Catholic clergy yearned for an exclusively Catholic University for themselves, undefiled by what was for them the cloven hoof of heresy, and this was to be denied them. They therefore denounced the Bill.² The measure was likewise opposed by nearly the whole of the Irish members, and it was finally rejected by the House of Commons after a series of stormy debates on the second reading by three votes only, Gladstone making a declaration against denominational endowment of university education. The Premier hereupon resigned, but was obliged to resume office, as Disraeli could not get a ministry to work for him. Thus even Gladstone, with all his enthusiasm and power, had been unable to hew off the third branch of the fatal Upas tree. After this defeat an attempt was made at the instance of Trinity College to broaden the basis of its regulations, and a Bill was introduced by Fawcett on March 23 of the same year and passed by Disraeli's Government, abolishing tests in the College and University, making the members of the College eligible to all its honours without regard to differences of creed, and at the same time divesting the governing body of its purely Protestant character. But the remedy was insufficient for the chronic disorder, and Trinity College continued to be a thoroughly Protestant seat of learning impregnated with the tradition of years. Its professors, fellows, and scholars remained nearly all Protestants after the passing of the Act, its Catholic students did not amount to eight per cent., and the Irish Catholic Church was more than ever opposed to Catholics entering its precincts in order to suck the brains of to them an impious and tainted heresy.

In 1879 the Royal University was established, the Bill for its

¹ Appendix LXVIA, extract from speech by W. E. Gladstone.

² Appendix LXVII, Cardinal Cullen's Declaration.

foundation being passed by Disraeli's Government in order to render more equitable, as far as Catholics were concerned, the system of higher education in Ireland. Isaac Butt had introduced a Bill in 1876 for the creation of a second college in connection with the University of Dublin. The Catholic College was to be this second string to the fiddle, with a voice in the government of the University and with suitable endowments. Trinity College was no longer to be identical with the University of Dublin, but, like the Catholic College, to be free and self-governing. No degrees in Divinity were to be given by the University, which was to confer other degrees after adequate examination. The Board of Examiners was to be chosen from each College. The University was to have an endowment of £200,000 out of the Church surplus. The Catholic College was to get £30,000 for buildings, etc., all the assets of the Catholic College being handed over to it, whilst double this amount was to be paid to it out of the Church Surplus. But the Bill failed to pass. In 1879 the O'Connor Don, who had co-operated with Butt in fighting for the Bill of 1876, brought in a measure mainly founded on the principles accepted in the Intermediate Education Act of 1878. Under it existing universities and colleges in connection with it were to be established. This new establishment was not to be directly a teaching University, although something more than a mere Examining Board, and a sum of £1,500,000 was to be set aside out of the Church surplus for its endowment and expenses. But this Bill likewise suffered the fate of the other. The same year the Royal University Bill was introduced in the Upper House by Lord Cairns as a substitute for the O'Connor Don's. In the shape in which it eventually passed it was substantially different from the measure which was first agreed to by the Lords. The Bill that had first emerged from the Upper House created a new Senate for the Queen's University, and enabled it to grant degrees to students outside the Queen's Colleges. But it practically did nothing more. Under the provisions of the Act, however, as it finally passed into law, Queen's University was extinguished, and power given to a new institution in the shape of the Royal University to confer degrees on and award prizes to the students of all Irish colleges without religious distinction, provided they passed through the examinations required for the purpose. The duty of framing a scheme of exhibitions, prizes, scholarships, and fellowships, for which Parliament was to supply the funds, was entrusted to the Senate of this Royal Establishment.¹ The Catholic University

¹ The Senate decided at a meeting held in November 1882, that fellowships should be assigned to the following institutions:—University College, Dublin (15), Queen's College, Belfast (7), Queen's College, Cork (3), Queen's College, Galway (3), and the Magee Presbyterian College, Londonderry, which was opened in 1865 (1).

There was no provision under the Act of 1879 for the endowment of the Royal

and other similar institutions were in this manner enabled, although indirectly, to secure degrees for the students who were educated within their precincts. But the Royal University, although opening up a road for Catholic talent, and cracking after many years of stubborn frost the thick ice of bigotry, was after all merely an examining Board, and not a University in the proper sense of the word. Moreover, the members of the Senate were thenceforward selected for their religious creed rather than their academic eminence, and when a vacancy had to be filled the question considered was, not whether the candidate was distinguished intellectually, but whether his appointment would upset the denominational equilibrium. The Catholic University still remained unendowed, while Trinity College and the Queen's Colleges, two of which proved glaring failures,¹ were amply fed at great expense by the State.²

University, but in 1881 the omission was made good, and an Act passed for the payment of £20,000 annually out of the Irish Church surplus to defray the expenses of the Establishment.

¹ The dissolution of the Queen's University considerably impaired their importance. In 1881-82, the number of students in Belfast was 567; in Cork, 402; in Galway, 201. In 1901-2, the numbers were—in Belfast, 349; in Cork, 190; and in Galway, 93.

² Lord Granville wrote to Lord Emly on October 16, 1879—"No one knows better than you the latent hostile feeling which unfortunately still exists against the Irish and against the Roman Catholic religion. . . ."

CHAPTER XV

LAND ACT OF 1881

"Suppose I am told that without the agitation Ireland would never have had the Land Act of 1881, are you prepared to deny that? I hear no challenges upon that statement, for I think it is generally and deeply felt that without the agitation the Land Act would not have been passed. As the man responsible more than any other for the Act of 1881—as the man whose duty it was to consider the questions day and night during nearly the whole of that session—I must record my firm opinion that it would not have become the law of the land if it had not been for the agitation with which Irish society was convulsed."—WILLIAM EWART GLADSTONE, House of Commons, March 3, 1890.

"Is it remarkable that those interested, the representatives of the Irish people, should in this conjuncture of things feel alarmed for the future? Is it remarkable that there should again be conjured up in the minds of the people the dread of the recurrence of those nameless scenes of horror, the memory of which hung like a dark cloud over the recollections and the lives of the people who had taken part in those scenes, and who had suffered in them? I am unable, and I will not attempt to give a picture of those scenes. The nameless graves, the members of one family thrust into unhallowed ground, the fearful want and agony of children dying before the eyes of parents, ay, and children, innocent infants, found struggling for their young life at the nipple of the mother, hours after life had left her! Is it possible, my Lords, for men who think of these things, who have their recollections revived by the dread of such things—is it right that their language should be tested by the same rules which men apply to those who are philosophically and calmly discussing some problem of economy or politics?"—SIR CHARLES RUSSELL, before the Parnell Commission.

"I can imagine no fault attaching to any land system which does not attach to the Irish. It has got all the faults of peasant proprietary, of extreme landlordism, and of landlords who spend no money upon their property, and with a large part of their territory managed by a court—all the faults of tenants to whose interest it is to let their farms go out of cultivation when they are approaching the end of their term."—ARTHUR JAMES BALFOUR, House of Commons, May 4, 1903.

IRELAND, on the whole, with the exception of an outbreak of crime in West Meath in 1870-1, the result of clearances upon an enormous scale, never seemed so prosperous as during the years 1871 to 1877. They were times of plenty and high prices, and the Irish lower classes appeared for a short span almost to forget the inclemency of the *régime* under which they lived. But appearances were deceitful. Figs do not grow on thorns. As Disraeli said about the year 1874—"Neither liberty of the press nor liberty of the person exists in Ireland. Arrests are at all times liable. It is a fact that at any time in Ireland the police may enter into your house, examine your papers to see if there is any resemblance between the writing and that of some anonymous letter that has been sent to a third person. In Ireland, if a man writes an article in a newspaper and it offends

the Government, he has a warning, and if he repeats the offence his paper may be suppressed. They say Ireland is peaceful. Yes, but is she so, not because she is contented, but because she is held under by coercive laws?" During this period the soil was prepared for future legislation and various attempts were made to anticipate the measure which was eventually carried in 1881. In 1871 Lord Cairns recommended a measure supplemental to the Land Bill of 1870, stating very lucidly the reasons for his proposal—

"A considerable property in the north of Ireland being about to be sold, preparations were made in the Landed Estates Court for advertising it and for stating the rights and encumbrances to which it was subject. Some of the tenants applied to the Court, not as litigants, but asking the judges, in their administrative capacity, to place on the particulars of sale and in the conveyance, some notice of their rights. The judges conceiving this to be unnecessary, and their rights to be sufficiently secure, the tenants carried the matter to the Court of Appeal, where both judges sustained the decision of the Landed Estates Court. They did so, however, on different grounds, the Lord Chancellor thinking their rights sufficiently secure, while Lord Justice Christian doubted whether they could be enforced, and apparently thought that the Landed Estates Court could take no cognizance of them."

In view therefore of the indeterminate nature of their security, Cairns proposed that a short declaratory Act should be passed, providing that, in the case of any proceedings in the Landed Estates Court, the rights of tenants under the Act of 1870 should remain valid, even though they might not be specified or referred to in the conveyance. His proposal was welcomed as a moderate step in the direction of reform, and having been accepted by both houses received the Royal assent on the 21st of August.

In 1871 a Land Bill was also introduced by Sergeant Sherlock, but was not accepted. In 1872 Butt made an attempt to carry a Land Act with a similar result, and the same year brought in a second Bill for the amendment of the Act of 1870, but was unable to obtain sufficient support for it. Heron had also proposed a Bill dealing with the land question in 1870, and had likewise failed to carry it. In 1874 various Bills were introduced on the subject, but all of them fell through. One was brought forward by Isaac Butt; another by Sir John Gray¹; a third dealing with the Ulster Tenant Right again by Butt, and a fourth in regard to the Land Purchase Extension

¹ Sir John Gray (1816–1875). Member for Kilkenny.

by the O'Donoghue. In 1875, Richard Smyth, member for County Londonderry, introduced a Land Bill, but in vain, and the same year Sharman Crawford, the son of the William Sharman Crawford of earlier and wider fame, brought in a Bill to amend, like Cairns, the Land Act of 1870, with a view to secure its leading principle of the tenant-right custom of free sale which various attempts had been made during the preceding five years to rob of its vitality. Thus by the Land Act of 1870 the onus of proof in the case of disputed tenant-right was thrown upon the tenant, who was obliged to show that upon the particular estate in question the right of sale really existed. This clause in the hands of a bullying landlord was made, as might have been anticipated, a convenient instrument of fraud. Crawford, therefore, proposed that the onus of proof in such a case should be shifted from the shoulders of the tenant to the broader back of the landlord ; that is to say, that the right of sale should be presumed to exist until it was proved it did not, and that this presumption should not be destroyed by the fact that the farm had previously been held under a lease. Three other proposals were contained in Crawford's Bill. He suggested that whenever a question arose as to an increase of rent by the landlord, the Land Court judge should decide as to whether the increase was reasonable or no ; secondly, that the landlord should not have the option of objecting to an incoming tenant unless the same authority pronounced the objection well founded ; and in the third place, that the tenant should have the right of selling his "goodwill" by auction. But the dose was too strong for the sensitive bowels of the anti-reformers, and having run a gauntlet of criticism from the Government in power, the Bill was finally defeated by the large majority of 150.

On the 29th of March in the following year another essay was made to safeguard the tenant against the robber propensities of some of their masters, a Bill being introduced by Butt to amend the Land Act of 1870 in the interests of the tenants of South Ireland. He proposed that the system of the three F's should be finally recognized by the law, that is to say, that every tenant should have the power to claim from the chairman of his county the benefit of his improvements, and that a certificate should thereupon be given him protecting him against eviction ; that the landlord and tenant should each select one arbitrator ; that the two arbitrators thus appointed should agree upon a third, and that in cases where the landlord did not appear the rent should be assessed by a jury composed of three special and three common jurors. In this manner, he contended, would the principle of fixity of tenure, fair rents, and free sale be legally established. So also thought the anti-reformers ; the draught was once more too potent for their debilitated con-

stitutions, and, being opposed by both the great parties, the Bill was negatived on the second reading by a majority of 234.¹

On June 21, 1876, Crawford once more introduced his rejected proposals, but they again had to be withdrawn, and a Bill brought forward by John Mulholland,² a Conservative member for Ireland, shared the fate of all the others. The following year Crawford repeated his attempt, this time adding a clause for the extension of the Ulster Custom to the rest of Ireland, but with the same result, and Butt, who brought in a Bill in 1877 for a similar purpose, likewise failed. With the hereditary persistence running in his veins Crawford brought forward his measure again on the 28th of January, 1878, and was defeated by only nineteen votes. On the 6th of February, the same year, Butt's rejected Bill was introduced by McCarthy Downing, but the temper of its antagonists was unchanged, and he was beaten on the second reading by a majority of 200. Bills were also brought in with a similar purpose that year by Lord Arthur Hill, Macartney, John Martin, and Moore, but they all failed to pass, the savage murder of Lord Leitrim and his two servants in April, while driving near Milford, in County Donegal, leaving the rulers of Ireland still unconvinced of the crying necessity for some reform. On May 14, 1879, William Shaw³ brought forward Butt's rejected Bill, and was defeated by 263 to 91. On the 2nd of July Crawford's Bill was expounded to the landlords for the last time, and once more had to be dropped, and Bills introduced the same year by Macartney, Lord Arthur Hill, Herbert, Taylor, and Downing shared a similar fate. In 1880 Taylor and Macartney again made attempts to pass their Bills and again failed, and the measures introduced to reform the Irish land system by Litton and John O'Connor Power perished in the same way.

Two other elements now entered the arena, and, fighting on the side of the tenants, drove their opponents into a corner and forced them to terms. The famine of 1879-80 aggravated the growl and intensified the bitterness of Irish discontent, and Charles Stewart Parnell, with his pale face and indomitable courage, stepped upon the stage, the mysterious protagonist in the struggle for Irish freedom.⁴ The two years of 1877 and

¹ Appendix LXVIII, quotation from Professor Cairnes.

² John Mulholland, son of Andrew Mulholland, cotton and linen manufacturer. At this time member for County Down. Raised to the peerage under the title of Baron Dunleath of Ballywalter in 1892.

³ William Shaw (1823-1895). Member for County Cork.

⁴ Antagonism to England seemed to have its roots deep in Parnell's family. His maternal great-grandfather, Tudor Stewart, fought against the English in the War of Independence. His maternal grandfather, Commodore Charles Stewart, fought against them in 1812. His paternal great-grandfather opposed the Union, and relinquished office on account of it, and William Parnell, his grandfather, consistently advocated the Irish cause against England, as also did the brother of the latter, Sir Henry Parnell.

1878 had been bad, and the one following upon them the worst since the great famine. The landlords, instead of girding up their loins to stem the tide of distress, had opened the sluices for it, proving once more to all the world that property in Ireland had a code of its own, a decalogue more suited to its own interests, and did not recognize "its duties as well as its rights."¹

Evidence of the distress which Ireland was suffering from is afforded by the state of the potato crop during the two or three years preceding 1880. Dr. Grimshaw, the Registrar-General in Ireland, showed in his statistical returns that in 1876 the potato crop was 4,154,784 tons, valued at £12,464,382 sterling. In 1877 the yield fell to 1,757,274 tons, worth £5,271,822; in 1878 it was 2,526,504 tons, worth £7,579,512; and in 1879 it sank to 1,113,676 tons, worth £3,341,028, the value of potatoes being in each case calculated at £3 a ton. That is to say, the difference between the two years 1876 and 1879 was £9,123,534 sterling, or at that time more than three-quarters of the entire agricultural rents of Ireland. The situation was even worse in regard to general crops. In 1876 they were worth thirty-six millions sterling, in 1877 twenty-eight millions, in 1878 thirty-two millions, and in 1879 only twenty-two millions, making a total loss since 1876 of twenty-six millions sterling. Private charity did something to alleviate the misery. The Duchess of Marlborough started a fund, which ultimately reached £135,000, and another fund was collected by the Lord Mayor of Dublin. The Queen sent £500 and the Prince of Wales £250, and the various moneys were administered irrespective of creed or party.

Butt had meanwhile died in 1879 without ever having exercised much influence upon Irish opinion, and the more moderate of his old followers, as well as the Protestants, seceded from his Home Rule movement on its assuming a treasonable aspect. William Shaw of Cork had for a short period succeeded Butt as nominal leader of the Irish party, and then Parnell had stepped forward into indisputable supremacy. The Fenians in England and Ireland were opposed in 1878 to any sort of relation or concerted action with the Parliamentary body, and among those who opposed a united policy was Charles Kickham.² In America the Fenian conspiracy still retained some symptoms of life.³ But the Fenian body was not homogeneous, being divided into two distinct parties, one generally known as that of the "Clan na Gael," and the other bearing a variety of names, of which the "Irish Brotherhood" was the best known. Both these parties aimed at the complete disruption of the Irish Union and

¹ Appendix LXIX, quotations from Sir Charles Russell, Mr. Robinson, and Mr. Fox, and Extract from Dr. Roughan's local report to the Irish Local Government Board.

² Charles Joseph Kickham (1826-1882).

³ Appendix LXIXA, attempt to draw Parnell into the Fenian conspiracy.

the severance of all relations between the two countries, but they by no means agreed upon the methods of execution. The chiefs of the "Clan na Gael" were in favour of violent measures and violent men, and had instituted a "Skirmishing Fund" with the sinister designs of intimidation, assassination, and dynamite outrage; whilst the leaders of the other party, among whom was John Devoy, shrank from criminal extremities, and believed that their ends could be more easily and safely accomplished by united action with the Parliamentarians and the inglorious policy of incessant obstruction by Parnell's active Irish party in the House of Commons. Michael Davitt attached himself to this last and less violent section. He was the son of an evicted Mayo tenant, and had lost his arm when a boy in a machine accident in Lancashire. Later on he had joined the Fenian movement, and had been sentenced to fifteen years' penal servitude, but after seven years' duress he had been liberated on ticket of leave, and at once plunging into the difficult problem of his country's regeneration, laboured at the development of the ideas that had crowded upon him during the solitary watches of his confinement.¹

Davitt first visited America in 1878, and having returned to Ireland to study the condition of the political atmosphere, speedily came to the conclusion that the best means of effecting the ultimate dissolution of the Irish Union would be the preparation of the ground by an agrarian revolt. The "Irish Brotherhood" were of a like opinion, and a regular compact was concluded between them. Devoy, who visited Ireland and reported to the secret organization in America the state of the Fenian party in Ireland, organized their scattered energies, and with the crowded sail of assurance they set out upon their journey in the "New Departure." The separation of Ireland from Great Britain and the untrammelled independence of the smaller kingdom were always to be kept in view as the grand object of patriot ambition, but Irish landlordism was to be the first point of attack, the object of the earliest blow aimed at the loathed and haughty supremacy of England. A great demonstration was held on April 19, 1879, at Irishtown, at which John O'Connor Power, the member for the county, and other Irish leaders were present, and where the whole landlord system was denounced, a reduction of rents demanded on behalf of the occupiers of Ireland, and a policy of future agitation outlined. This meeting is historically important, as out of it may be said to have grown the Land League movement. The official Fenian body held aloof from the "New Departure," although individual Fenians joined it and were afterwards expelled from the Fenian organization. In 1879 Parnell and Davitt, aware of the identity of their aims, joined hands, and a convention having met on August 16 at Daly's Hotel,

¹ Appendix LXX, quotation from Michael Davitt.

Castlebar, to put their declaration of policy into a concrete shape, a central "Land League" was founded in Dublin on the 21st of October of that year with the former for its first president. In order that the movement might wear a purely agrarian aspect, and so the more easily be carried on undisturbed by the law, it was publicly declared that the objects of the National Land League were the reduction of rack-rents and the acquisition of the ownership of the soil by its occupants. The meeting of the 21st of October, 1879, at which the Land League was inaugurated, was held in the Imperial Hotel, Lower Sackville Street, Dublin, with Andrew J. Kettle, Poor Law Guardian, in the chair. The resolutions carried on this occasion were as follow—

"That an association be hereby formed, to be named 'The Irish National Land League.'¹

"That the objects of the League are, first, to bring about a reduction of rack-rents; second, to facilitate the obtaining of the ownership of the soil by the occupiers of the soil.

"That the objects of the League can be best attained by promoting organization among the tenant-farmers, by defending those who may be threatened with eviction for refusing to pay unjust rents; by facilitating the Bright clauses of the Land Act (that is, the Act of 1870) during the winter, and by obtaining such reform in the laws relating to land as will enable every tenant to become the owner of his holding by paying a fair rent for a limited number of years.

"That Mr. Charles S. Parnell, M.P., be elected President of this League.

"That Mr. A. J. Kettle, Mr. Michael Davitt, and Mr. Thomas Brennan be appointed honorary secretaries of the League.

"That Mr. J. G. Biggar, M.P., Mr. W. H. O'Sullivan, M.P., and Mr. Patrick Egan be appointed treasurers.

"That the President of this League, Mr. Parnell, be requested to proceed to America for the purpose of obtaining assistance from our exiled countrymen and other sympathizers for the objects for which this appeal is issued.

"That none of the funds of this League shall be used for the purchase of any landlord's interest in the land, or for furthering the interests of any Parliamentary candidate" (a resolution which was afterwards modified).

After passing these resolutions the newly-constituted Land League issued an "Appeal to the Irish Race," describing the project they had set themselves to carry out.² On the 5th of November, 1879, another address was issued "To the farmers and all interested in the settlement of the Land Question," soliciting

¹ The first Australasian branch of the Land League was founded in Gympie, Queensland, in 1880, under the presidency of the Rev. M. Hozan. In 1882 John E. Redmond and W. K. Redmond went out to spur on the agitation, returning *via* the United States in 1884.

² Appendix LXXI, appeal to the Irish Race.

subscriptions and other assistance, and setting forth, as in the "Appeal to the Irish Race," the grounds of the agitation, the manifesto being signed by the members of the Executive of the Irish National League—Parnell,¹ Joseph Gillis Biggar,² W. H. O'Sullivan, Patrick Egan, the treasurer, A. J. Kettle, Michael Davitt (who was arrested with Daly, a journalist in Mayo, and a barrister of the name of Killen on the 19th of the month for a speech delivered at Gurteen, County Sligo, on the 2nd), and Thomas Brennan, who was arrested on the 5th of December. The prosecution of the prisoners came to nothing and had to be dropped, as no jury could be got to convict them. A further manifesto was issued about two months after the formation of the Land League³ to the people of Ulster, who on account of sectarian differences among themselves had lately taken but little part in the popular movement. The appeal urged them to lay aside their personal or party considerations and to bend their whole energies to the attainment of a long-delayed reform. A branch of the League was formed not long afterwards in England out of the Home Rule Confederation, John Barry, subsequently member of Parliament for County Wexford, taking the lead in the movement in Great Britain, and on December 27, 1879, Parnell and Dillon left Queenstown for America on the *Scythia*, in accordance with the desire expressed by the leading members of the League, in order to spread their gospel of reform there, and collect subscriptions towards the expenses of the agitation and funds for the starving tenant farmers. The Duchess of Marlborough, the wife of the Lord-Lieutenant,⁴ together with the Lord Mayor, had also formed committees to supply food and clothing to the famished peasantry. Soon after his arrival Parnell had the privilege of addressing Congress on February 2, 1880, at Washington on the subject of his mission, and before he left the United States early in the same year an American Land League had been established with Collins, a Boston lawyer and a member of Congress, for its president. The first convention of this new body was held in New York in May 1880. It was an ostensibly constitutional society in contrast to the unconstitutional Clan na Gael, called the V. C. or V. B., which openly aimed at redress of Irish grievances by any methods which might be expected to

¹ During the course of this year Parnell had taken a prominent part in Parliament in the campaign against the "cat," and was supported by Joseph Chamberlain. Their efforts, combined with those of others, resulted in the abolition of flogging in the army in all cases except where the alternative was death. In 1881 flogging in the army was abolished altogether.

² Joseph Gillis Biggar (1828–1890). Member for the county of Cavan.

³ A Highland Land League was also formed about this time by Edward McHugh, of Glasgow, independent of that of Ireland.

⁴ John Winston Spencer Churchill, seventh Duke of Marlborough (1822–1883). Succeeded the Duke of Abercorn as Lord-Lieutenant on November 28, 1876, and held the post down to the resignation of the Beaconsfield Ministry in May 1880.

produce the most desired effect. It was the object of this more violent secret organization to get control of the newly-formed Land League of America, and, before the Conventions of the latter took place, circulars, V. C. circulars as they were called, were regularly issued to the supporters of the *Clan na Gael*, instructing them how to act at the Conventions with a view of bringing the control of the League into their own hands. Parnell's campaign in the United States had meanwhile been a miracle of cleverness, his object being to hound on the Fenians to fury, but at the same time to keep off the track of treason, and he succeeded. Out of the sixty speeches which he made at the time there was nothing which could be laid hold upon as treasonable, or caught within the meshes of the law. In one speech indeed at Cincinnati on February 20—the celebrated “Last Link Speech”—he declared (and even this by an ingenious interpretation might have been defended as a metaphorical figure) that—“none of us, whether we are in America or in Ireland, or wherever we may be, will be satisfied until we have destroyed the last link which keeps Ireland bound to England.” As a result of his visit the Irish Land League were able to expend a sum of £10,000 in the purchase of champion seed potatoes for destitute peasants throughout Ireland, and to distribute altogether about £50,000 in the relief of distress. His return to Ireland was finally precipitated by the election of 1880 which resulted in the collapse of the Beaconsfield Government and the accession of Gladstone¹ to power, Parnell obtaining a following of thirty-six Nationalist members out of a total of sixty-four Home Rulers in the House of Commons.²

In 1880 an attempt was made by the Government to place their views on Ireland before the Pope and try to persuade His Holiness to use his influence with the priests who, it was feared, were supporting Parnell in his agrarian agitation. In 1848 a Bill had been introduced in the House of Lords and passed into law enabling Her Majesty to have diplomatic relations “with the Court of Rome.” But on the motion of the Bishop of Winchester the words “Sovereign of the Roman States” had been substituted for those given above, and in consequence, when in October 1870 the Bishop of Rome ceased to be “Sovereign of the Roman States,” the Act was repealed as obsolete. No public appointment, however, had been made while the Act was in force,

¹ Gladstone had been in political retirement since 1875, and had at various times given his former colleagues to understand that he should not take office again. So on the 22nd of April the Queen sent for Hartington, who led the Liberals in the House of Commons, and on the following day he and Lord Granville, the Liberal leader in the House of Lords, were received in audience. But they both advised the Queen to send for Gladstone, which she did, and, notwithstanding his former asseverations, he consented to form an administration.

² Appendix LXXIA, account of two of Parnell's love affairs.

although the practice had grown up of allowing a Secretary of Legation, nominally appointed to the Grand Ducal Court of Tuscany, to reside at Rome, where he was regarded as *de facto* Minister to the Vatican ; but even this custom had come to an end. So George Errington, who was member for Longford, as well as being a Catholic and resident Irish landlord, went to Rome in the winter of 1880 with a private letter addressed to him by Lord Granville, who was at that time Foreign Secretary, stating that so well-informed a man would be able to place the position of affairs in Ireland clearly before the Cardinal Secretary. He was soon followed by Lord O'Hagan, the Lord Chancellor of Ireland, and they both worked together with this object in view. In 1881 Errington revisited Rome, and once more in the winter of 1882. These private negotiations naturally led to extravagant no-popery outcries on the part of anti-Catholics and gave rise to a multitude of questions in Parliament. But the noise ended in smoke, and the Government attained their object. The Holy See was placed in possession of the views of the Cabinet in respect of certain features of the situation in Ireland, and, although there was no official representative from England at the Vatican, the Pope was nevertheless able to get in touch with the inner councils of the British Government.

On the 29th of April, 1880, a Programme of Parliamentary Reform was prepared by the Land League in order to be submitted to a Land Conference called by them.¹ This important document was signed by Parnell, J. Louden, A. J. Kettle, William Kelly, and Patrick Egan. Michael Davitt refrained from adding his signature. He belonged to the more advanced section of the Land League and was of opinion that the terms offered in the Programme to the landlords were too favourable. He returned from America, where he had gone upon a mission similar to Parnell's, in December 1880, and on the 13th of that month issued a memorandum of instructions to organizers and officers of the branches of the Land League as to the work they were to do.²

A Bill for the purpose of staying evictions was now brought forward on behalf of the Land League by O'Connor Power, who in 1865-6 had joined the Fenian Society. Taking the average in Ulster from 1853 to 1878, the yearly number of ejectment notices had been 1,489 ; and in 1880 the number was 2,846. In Connaught the average for the twenty-five years had been 960, in 1880 the number was 1,995. In Munster the twenty-five years' average had been 1,076, in 1880 the number was 2,345. In Leinster the average had been 912, in 1880 the evictions had numbered 1,363. In Galway the twenty-five years' average had

¹ Appendix LXXII, Land League's Programme.

² Appendix LXXIII, Davitt's Memorandum.

been 236, in 1880 the evictions had numbered 543. In Mayo the average had been 281, in 1880 the number of evictions was 625. In Clare the average had been 135, in 1880 the number was 283. In Kerry the average had been 146, and in 1880 the number was 473. In the East Riding of Cork the average had been 195, in 1880 the number was 412. In the West Riding of Cork the average for twenty-five years had been ninety-four, in 1880 the evictions numbered 207. They had increased in the whole of Ireland from 374 families in 1869 to 463 families in 1877, to 980 in 1878, to 1,238 in 1879, and to 2,110 families in 1880. The misery entailed by this method of extracting rent may be imagined. Hundreds of women with babes at their breasts were driven to seek shelter where they could, and little delicate children, nipped by the cold air of a winter's night, crawled into any asylum that offered in order to escape death. However, it was monstrous on the face of it to grumble. The absentee landlords must live. Destitution and starvation squatted outside their castle walls, and shivered, and moaned, and crept under the mullioned windows of these exiles. But if Irishmen chose to die upon their doorsteps, what was that to them?

On the introduction of O'Connor Power's measure, which was founded upon the above-quoted programme of the Land League, the Government declared that they were unable to accept it; but they shortly afterwards brought forward certain proposals of their own, a Compensation for Disturbance Bill embodying some of Power's suggestions being introduced in the House of Commons on the 18th of June, 1880, by Forster¹ who had succeeded James W. Lowther in Ireland as Chief Secretary.² The tenant was in need of some measure of protection. His position, wherever the Ulster Custom was not prevalent, was that of absolute dependence upon the uncertain temper and unrestrained greed of his landlord. In the yearly tenancies the latter could always raise the rent when it suited his convenience; whilst in the case of estates held on lease he could raise it at the expiration of the lease, an opportunity rarely neglected whenever the exertions of the tenant had increased the value of the land. On many estates a practically compulsory arrangement, known as the "hanging gale," was forced upon the occupier, by which he was obliged to be always a year's or half-a-year's rent in arrear; and this debt, which dangled above him like the sword of Damocles, not only disturbed his peace of mind, but placed him absolutely in the landlord's power as regards eviction. Moreover, under the law of land tenure existing at this time, the Irish occupier could only realize his tenant-right on being removed

¹ William Edward Forster (1818-1886).

² Appendix LXXIII A, letter from W. E. Gladstone to Duke of Argyll, June 14, 1880.

from his holding by a hostile act of the landlord. "Compensation for Disturbance" by the Act of 1870 was, in fact, only an obligatory payment when the tenant was dispossessed by a notice to quit, and eviction consequent upon non-payment of rent did not, except in a small minority of cases, entitle the tenant to this compensation. His much-beloved tenant-right thus lapsed by his own default, and the evictions had been numerous in consequence. Forster's Bill, which was nicknamed by its opponents "Payment by reason of non-payment," proposed a remedy for this state of things. In certain classes of cases, carefully limited and hedged about by a number of conditions, such as that which restricted compensation to cases of insolvency caused by failure of crops, the County Court Judges were to be empowered until the end of 1881 to order the landlord to compensate the tenant on eviction, even though the latter had been himself in default and not paid the stipulated rent. The evicted tenant, however, before being confirmed in his claim, had to prove to the satisfaction of the Court that he was unable to pay the required rent; that he was unable to pay it, not from thriftlessness or idleness, but on account of the bad harvest of the current year or of the two preceding years; that he was willing to continue the tenancy on reasonable terms; and lastly, that these terms were unreasonably refused by the landlord. But, although the proposed measure was supported by formidable batteries of official argument, it was a clumsy piece of legislation which, applying exclusively to those districts scheduled as distressed, such as Galway, Mayo, Cork, Kerry, Clare and a few others, did not attempt to cut at the roots of the evil, although it started a hare which is still running. Forster moved the second reading of the Bill on the 25th of June, 1880, and after describing the scope of his scheme said—

"Now, you may say, with these facts before you (in regard to the distress in Ireland) why did you not bring in this Bill at the beginning of the session? You knew the distress. You knew the meaning of the Land Act. You knew the relative positions of the Ulster tenant and the non-Ulster tenant. Well, we did not do so because we hoped we might put off legislation until we had all the facts before us and knew how the Land Act was working and then we might bring it before the House and inquire how far it required amendment. Then it may be said, if you did not bring it in then, why have you brought it in now? Well, for this reason, that we find we could wait no longer. Facts are accumulating upon us. Evictions have increased and are increasing. I have here the figures as to the evictions the constabulary have had to conduct. They are not all that have been effected, only those in which the aid of the constabulary has been required, and I deduct from them all the cases where the evicted tenant has been readmitted; this list, moreover, has nothing to do with process-serving. The average evictions

for the five years ending in 1877 was 503 for each year; in 1878 the number was 743; in 1879 it was 1,908; and up to the 20th of June of the present year it was 1,073. . . .

"I take the case of the West Riding of Galway. Since the 1st of January in this year the number employed in protecting process-servers has been 107 officers of constabulary and 3,300 men, and 16 officers and 626 men in carrying out actual evictions."

Furnished with these arguments the Bill was read a third time in the Commons on July 26 by 304 to 237, sixteen Liberals voting against it and Parnell and his followers walking out dissatisfied with the alterations made in it. It then proceeded to the Upper House.¹ But the Lords were determined not to have it. The Bill was particularly disturbing to certain members of the Government. Lord Lansdowne, who was Under-Secretary for India, retired from the Government, even Parnell in the committee stage of the Bill had refrained from giving it his support, and the Lords rejected it on August 3 by a majority of 231. The result of the defeat of Forster's Bill and the subsequent announcement by the Government that they intended to bring in a fresh measure dealing with the land question was twofold. It drove the Irish landlords, who were conscious of their bad stewardship, to desperation, and increased the determination on the part of Irish agitators to drum their grievances into the ears of Ireland's governors—the ears that would not hear, the grievances over which the country gentleman, with his fine wit and delicate taste, was pleased to shake his sides with uncontrollable merriment when they appeared caricatured in the vulgar comic papers of the day. General Gordon,² who visited Ireland in 1880, wrote—

"I have lately been over the south-west of Ireland in the hope of discovering how some settlement could be made of the Irish question, which, like a fretting cancer, eats away our vitals as a nation. I have come to the conclusion that, first, a gulf of antipathy exists between the landlords and tenants of the north-west and west, and the south-west of Ireland. It is a gulf which is not caused alone by the question of rent; there is a complete lack of sympathy between the two classes. It is useless to inquire how such a state of things has come to pass. I call your attention to the pamphlets, letters and speeches of the landlord class as a proof of how little sympathy or kindness there exists among them for the tenantry, and I am sure that the tenantry feel in the same way towards the landlords. Second, no half-measure Acts which left the landlords with any say to the tenantry of those portions of Ireland will be of any use. They would be rendered, as past Land Acts in Ireland have been, quite abortive; for the landlords will insert clauses to do away with their force. Any half-measures will only place the

¹ Appendix LXXIV, extract from speech by Duke of Argyll.

² Charles George Gordon, known as Chinese Gordon (1833-1885).

Government face to face with the people of Ireland as the champions of the landlord interest. . . .

"In conclusion, I must say from all accounts, and my own observations, that the state of our fellow-countrymen in the parts I have named is worse than that of any people in the world, let alone Europe. I believe that these people are made as we are, that they are patient beyond belief, loyal, but at the same time broken-spirited and desperate, living on the verge of starvation in places where we would not keep our cattle. . . . I am not well off, but I would offer — or his agent £1,000 if either of them would live one week in one of these poor devil's places and feed as these people do. Our comic prints do an infinity of harm by their caricatures. Firstly, the caricatures are not true, for the crime in Ireland is not greater than the crime in England; and secondly, they exasperate the people on both sides of the Channel, and they do no good. It is ill to laugh and scoff at a question which affects our existence."

The extreme sensitiveness of the public to caricatures aimed at themselves and published from time to time in foreign journals is, when we recall these lying caricatures of the Irish people, very mirth-provoking, but perfectly consistent with the known frailty of human nature.

In March of the same year a Relief Distress Bill, to which Forster had originally tacked his Compensation for Disturbance Bill, was passed through Parliament, by which £1,100,000 of the surplus funds of the Disestablished Church in Ireland were advanced to Irish landlords free of interest for two years, and afterwards at the rate of one per cent. in order to enable them to give employment to their tenants. This was all very well; but the Government little knew their debtors. Many of these, after employing their tenants and paying them wages out of this fund for working upon their own farms—wages which in their turn went to the payment of rent—proceeded to charge them sometimes four or five or even more per cent. on the very money which the State had ingenuously advanced for their relief. It was not very likely, in face of this trickery, that tears were going to course down tenants' cheeks in gratitude to their deliverers.¹

War to the knife against the vested interests of landlordism was now declared throughout the country, and the neo-Fenians, led by Devoy, the Land Leaguers, and the Ribbonmen joined their forces and concentrated their energies for a grand attack. The Land War directed by Parnell for the advancement of his policy had commenced in earnest. In May 1880 Davitt sailed for New York to co-operate with Devoy in countermining the policy of the extremists in the Clan na Gael. He had considerable success, for he was able to get a resolution defeated which

¹ Appendix LXXV, extract from speech by Sir Charles Russell.

advised the severance of all connection with the Parliamentarians. The Land League was the heart of the movement and fed the lungs, but, though it superintended the campaign, it was not to be wondered at if the pent-up passions of men got beyond its control and over-stepped the boundaries it had marked out. This was visible from the outset of the agitation and discredited the League in the eyes of those who were only too ready to believe anything evil of the Irish nation. This is to be borne in mind, when the viler features of the agitation are considered, for it was not so much the Land League that was to blame as the policy pursued for so many years by Ireland's governors, which had made the majority of the Irish lower classes unamenable to the bit of constitutional authority. Under such auspices was the agitation begun, and the bitterness of feeling engendered by the memory of wrongs deepened and spread with its continuance. Landlords were offered the rents which the League on the spot pronounced to be "fair," and, if recalcitrant, were denounced by name and held up to the public obloquy at village meetings. Some of them were even burnt in effigy, and their parks ravaged at night by "Land League hunts"—savage gatherings of the vilest scum of the neighbourhood. The policy of the "boycott"¹ was also employed against those who disobeyed the unwritten code of the League. The origin of this last method of coercion originated in an incident in Connemara. Captain Boycott,² an agent of Lord Erne, and a farmer at Lough Mask in Connemara, had in his former capacity served notices upon his lordship's tenants. In retaliation for this proceeding his servants were forced to leave him, no man or woman was permitted to work for him, and no tradesman or any other person dared to supply him with even the necessities of life. The Orangemen of the north hearing of his straits determined to afford him help, and sent some armed labourers from Ulster to gather his crops and protect him from outrage, and from this time "boycotting" and "emergency men" were common features of the country. Their office was no sinecure. The tenant, who with criminal integrity had paid his landlord the rent he had agreed to pay; the "grabber," who had rented an evicted farm; the trader, who dealt with an "obnoxious" person, all these were boycotted into righteousness, refused food, refused shelter, refused medicine, and even Christian burial. The petalism of Syracuse was more humane. The peasantry unfortunately suffered the greatest hardship during this period of tyranny; for one landlord, agent, or bailiff, who was killed or maltreated, a hundred "grabbers" or "traitors" were brutally handled—some being murdered and many others shot in the legs; whilst the hair of their wives and

¹ Appendix LXXVI, origin of the word "boycott."

² Charles Cunningham Boycott (1832-1897).

daughters was repeatedly and wantonly cut off, and their cattle mutilated in hundreds of cases. Bands of ruffians, known as "Moonlighters" and "Parnell's Police," broke open houses, violated the sanctity of family life, and turned peaceful neighbourhoods into a hell. Lord Mountmorres, a small landlord and local magistrate, was murdered in broad daylight near Clonbur, on the borders of Galway County, in 1880. In the two years 1880 and 1881 the agrarian outrages in Ireland, which in 1879, a bad year, were little more than 800 in number, reached the amazing total of nearly 7,000, most of them occurring in the worst parts of Catholic Ireland, for as the poorest tenants were Roman Catholics, it was there that the landlords had inspired the fiercest spirit of revenge. Seven thousand outrages in 1880 and 1881! This was the huge sum of Irish protest against the eviction of over 2,000 families in the former year and over 3,000 in the latter. In Galway there was a policeman for every forty-seven male adults and a soldier for every ninety-seven.

Infamous anti-landlord speeches, delivered in various parts of the country, added fuel to the flames and goaded the Irish to increased criminal exertions. A certain Mr. Harris declared at this time at a public meeting that—"If the tenant farmers of Ireland shoot down landlords as partridges are shot in September, Mat Harris will never say a word against them." The same man said on another platform: "Mrs. Blake of Keenoyle is no better than a she-devil. . . . Mr. Robinson called the people of Connemara vermin; the people of Connemara ought to treat him as vermin. Leonard of Tuam I will say nothing about, I will denounce him at his own door." Mr. Boyton, another Irishman, said on a similar occasion: "We have seen plenty of them, landlords and agents, that deserve to be shot at any man's hand. I have always denounced the commission of outrages by night, but meet him in the broad daylight, and if you must blow his brains out, blow them out in the daytime." Parnell's speeches also, although ostensibly condemnatory of crime, by appearing to palliate the excesses of his followers, incited many of them to further deeds of violence. Thus in view almost of the corpse of a land agent who had been foully murdered, he coolly remarked on one occasion: "I had wished in referring to a sad occurrence which took place lately, the shooting or attempted shooting of a land agent in the neighbourhood—[uproar]—I had wished to point out that recourse to such measures of procedure is entirely unnecessary and absolutely prejudicial where there is a suitable organization among the tenants themselves." Again the methods to be adopted in "boycotting" were unfolded by him before an exasperated audience in the following manner: "Now what are you to do with a tenant who bids for a farm from which his

neighbour has been evicted? [Various shouts, among which "Kill him!" "Shoot him!"] Now I think I heard somebody say 'Shoot him!' ["Shoot him!"] but I wish to point out to you a very much better way, a more Christian and charitable way, which will give the lost sinner an opportunity of repenting. (Hear, hear.) When a man takes a farm from which another has been evicted, you must shun him on the roadside when you meet him, you must shun him in the streets of the town, you must shun him at the shop counter, you must shun him in the fair and in the market-place, and even in the house of worship, by leaving him severely alone, by putting him into a moral Coventry, by isolating him from the rest of his kind as if he were a leper of old."

These were the methods of the Land League denounced by John Bright with fury in the House of Commons on the 27th of January, 1881. This is what the rulers of Ireland had brought upon themselves for dealing in delusions year after year. Their former remedial legislation had borne no fruit, the curse of sterility was upon it, and instead of spreading forth its luxuriant branches to the sun and rearing its proud stem vigorous with the sap of health, it had withered in its pride and, like some unsightly scarecrow upon a hill-top, flung out its fleshless arms against the grey sky. The fact was undeniable, the disgrace was not hidden in a corner. They had planted their tree in an ungenial soil, and Nature rebelling against the absurdity had blasted their handiwork before their eyes. Anxious to retrieve their error, they set about to find a remedy for the troubled Irish nation. With hesitation and little faith, doubting much and hoping little, they searched out their precedents and tabulated their parallels. At length they discovered the object of their inquisition. Far back, in ages when the warmth of civilization had scarce been kindled in the breast of the savage man, Ireland had been unruly; and her rulers, roused to the necessity of action, had assembled their wise men to debate upon the problem. Slowly, and painfully, and little relishing the task, they had determined to coerce her. A sheep's skin was produced, a Coercion Bill made out of it, and the most cunning of her chiefs sent with it to Ireland as a warning to the rebels. The effect had been magical, the expedient a god-send, for, as far as could be gathered from documents and tradition, the peccant dependency had since that time managed to endure without any national history at all. Relying therefore on this aged precedent, and confident of success, the rulers of Ireland in 1881, restoring a policy that had slumbered for so long, once again passed a Coercion Bill for the ungovernable Celt, for that irrepressible race of people who absolutely refused to be governed on any but their own terms by the nation of shop-

keepers who were gradually losing their trade. This was the history of Ireland. One day a Coercion Bill, the next a Land Act, then another Coercion Bill followed by a further Land Act. Brute force and charlatan experiment vying with one another for the supremacy. After a while, maybe, a period of rank disgust and the inactivity of despair, during which the troubles of the future incubated and grew to a head. Finally, a fresh awakening to a consciousness of peril, and as a matter of course a new Coercion Act and then another Land Bill. In this paternal manner had Ireland been governed by her rulers. On these lines had they devoted their genius to secure the loyalty of four million Irish subjects.

The Irish plague had to be arrested. Ireland had a spreading tumour that required very careful and gentle treatment, and "Buckshot" Forster,¹ stumbling on this precedent, determined to coerce her.² At first Gladstone had refused Forster's request, but at length after much persuasion and discussion consented to a Bill for the suspension of the Habeas Corpus Act. Bright and Chamberlain had also been adverse to such a step, thinking with Gladstone that the ordinary law ought to be given full scope before essaying extraordinary measures, proceedings having been instituted in the Dublin Courts against Parnell and others for seditious conspiracy. The jury, however, were unable to agree on a verdict, and Bright and Chamberlain came to the conclusion with Gladstone that the suspension of the Habeas Corpus was the best way out of the difficulty.

So Gladstone acquiesced in Forster's scheme, fearing lest the Government might be broken up were he to introduce any other form of Coercion; but with all this he did not agree with Forster's view of the situation. The latter believed that there were in the several parishes of Ireland a limited number of mischievous men known to the police, and that the Irish Government could stamp the evil out if summary powers were confided to it. Later events had stung him to exertion. He had been unable to convict the members of the Land League of criminal conspiracy, and chagrined at this failure made up his mind to face reproach, and introduced a Coercion Bill amid a storm of obloquy. The Bill was brought in on January 24, 1881. On the 25th Gladstone moved that it should have precedence of all other business. Parnell and his followers, among whom Biggar was prominent, opposed the motion and obstructed business, the house sitting continuously from 4 p.m. on Tuesday till 2 p.m. on Wednesday. On Thursday the 27th the debate was resumed. On Monday the 31st the Government

¹ He won the epithet by promising in the House of Commons to have the more merciful buckshot served out to the military police instead of ball-cartridge.

² Appendix LXXVII, extract from speech by Lord Randolph Churchill.

declared their intention to close the debate on the first reading that night, and the House sat continuously from 4 p.m. on Monday till 9 a.m. on Wednesday, that is to say, forty-one hours. On that day, February 2, after this period of unparalleled obstruction, the measure was forced through the House of Commons with the help of the Speaker,¹ who, having concerted this move with Gladstone, interrupted Biggar in the middle of a speech and put the question, thus forcing a close of the debate. On February 2, the Speaker's action was challenged in a motion, but the attack was defeated. The same day Gladstone gave notice of a resolution to the effect that if a motion declaring the business urgent should be supported by forty members rising in their places, the motion should be put forthwith without debate, and if carried by a majority of not less than three to one, the regulation of the business should remain for the time being in the hands of the Speaker. Thirty-two Irish members refused to leave the House during the division on the resolution on Thursday, February 3, and were suspended in a body. The resolution was then carried amended to the effect that there should be at least a House of three hundred as well as a majority of three to one before urgency could be voted. On February 4, the second reading of the Coercion Bill was moved by Forster, "urgency" having been declared, and it was not till February 25 that it passed its last stage in the Lower House, the Irish fighting it to the end. The Bill finally received the Royal assent on March 2, 1881, the House of Commons having sat continuously upon it once for twenty-two hours and at another time for forty-one, and twenty-two sittings having been spent upon the measure.² It gave the authorities power to arrest all persons "reasonably suspected" of certain specified offences, and converted the Government of Ireland for the time being into an undisguised system of autocratic rule. Davitt had already been arrested on February 3, 1881, on the nominal charge of not having complied with the conditions of his ticket-of-leave. Up till then he had been at the head of the Land League; he was now succeeded by John Dillon; but the latter did not long enjoy the duties of his office, for he was arrested under the new Coercion Act on the 2nd of May, and Thomas Sexton succeeded him in the leadership. Sexton in turn was arrested under Forster's Act on the 14th of October, Arthur O'Connor taking his place at the head of the Land League Organization in Dublin; but the reign of the new leader was as short as those of the former ones, for he was forced to fly from Ireland and take refuge in England in

¹ Sir Henry Bouverie William Brand, first Viscount Hampden and twenty-third Baron Dacre (1814-1892).

² Appendix LXXVIII, List of Irish Coercion Acts, etc.

order to evade arrest. Finally the Land League itself was suppressed by proclamation.

An Arms Bill also had been introduced on the 1st of March, in the absence of Forster, by Sir William Harcourt, which passed the third reading in the Commons on March 11, by a majority of 210, and was carried in the Lords on the 18th of the same month. During the gestation of these measures a Ladies' Land League¹ had been formed in Ireland, with Miss Anna Parnell—a sister of Charles Stewart—for its president. Its object was to assist the existing Land League by raising funds, by inquiring into the cases of eviction, and by affording relief to evicted tenants. On the appearance of this new champion, Archbishop M'Cabe² issued a pastoral denouncing the participation in politics of the frailer half of mankind. This attack was answered by Archbishop Croke³ of Cashel, and the wrangle continued at considerable length, the pith of the dispute being whether the cause of a great nation should scramble for shelter under a woman's petticoats. The result of Forster's Coercion Act was, as we have seen, the suppression of the Land League and the imprisonment of the leaders of the Land League movement. The effect again of these proceedings was a great increase of crime throughout Ireland, crime that had been partially prevented by the efforts of the organizers of the movement to suppress all unconstitutional agitation. Thus in June 1881, when Forster's Coercion Act and the influence of the leaders of the Land League were both directed against outrage, crimes of an agrarian nature amounted to 332; in July they sank to 271; in August, when the Land League through the imprisonment of its members was becoming weaker, they rose again to 373; in September to 416; in October, when Sexton was arrested, to 511; in November to 532, and in December to 574; in January 1882 they numbered 495; in February 410, in March 542, in April 465, and in May 401. In June, when Parnell had been released, they sank once more to 284, in July to 231, in August to 176, in September to 139, and in October to 112 in number.

A month after Forster's Coercion Bill had passed into law, Gladstone brought in his Land Bill of 1881 which he considered had been rendered necessary by the rejection of the Disturbances Bill the year before. But it was received without gratitude. The struggle over the Coercion Bill had embittered the Irish, and it was not only not greeted with sympathy, but aggravated

¹ Appendix LXXVIII A, origin of Ladies' Land League; extract from a speech by Miss Anna Parnell.

² Edward M'Cabe (1816-1885), Archbishop of Dublin. Created a Cardinal in 1882.

³ Appendix LXXVIII B, Archbishop Croke's answer.

the whole agrarian difficulty. A Convention of the Land League assembled in the Rotunda, Dublin, on April 21 and 22, attended by over 1,500 delegates, when the Bill was condemned as insufficient and only to be tolerated as a temporary makeshift. Messrs. Brennan and Dillon were against even this conditional acceptance of the measure. On April 30 John Dillon was arrested, and Dublin was proclaimed the same day. The scheme which Gladstone unfolded to the House, and which had been precipitated by the bad winter of 1880-1881, was not the one the Government had originally drafted. Another Bill had been prepared of a less comprehensive nature, and the draft submitted by a member of the ministry to a prominent Liberal member who was supposed to possess great knowledge of the matter, with the request that he would suggest any alterations in it which might appear to him advisable. The Government, however, were not prepared for the result of this independent scrutiny, which took the form of an uncompromising indictment of the weak-kneed measure and unhesitating advice to commit it to the grate. The Government hereupon proceeded to prepare a fresh Bill founded upon the recommendations of two Commissions that had sat to inquire into the condition of the relationship between landlord and tenant in Ireland. Before the fall of Disraeli's Government, a Commission presided over by the Duke of Richmond had been appointed to investigate the matter. It had been brought together in the first instance for the purpose of an inquiry into agricultural depression, and called the Royal Commission on Agriculture. But it was soon felt that the condition of Ireland demanded instant and grave consideration, and a supplemental Commission, consisting of Lord Carlingford, Stansfield, Mitchell Henry, Joseph Cowan, John Clay, and John Rice, was appointed to deliver a report upon the state of Ireland, two sub- or assistant commissioners, Thomas Baldwin and C. Robinson, being also selected by the supplemental Irish Commission to report to them. The preliminary report of the Richmond Commission appeared on January 14, 1881, and bore striking witness to the distress prevalent in Ireland.¹

It was the same old story—a want of moral principle in many of the owners of the soil and inability to grasp the fact that they could only be justified in their possession of it by an active sense of responsibility. They forgot that a man who with open eyes neglects his plain duty is not very far removed from a scoundrel, or if they remembered, like Gallio, they did not care.

On the accession of Gladstone to power, a further Commission composed of three landlords (among whom was

¹ Appendix LXXIX, Extracts from Irish Commissioners' and Assistant Commissioners' reports.

Lord Bessborough),¹ one judge, and one banker, had been appointed in the summer of 1880 to make investigations into the working of the Land Act of 1870. Of the five Commissioners who constituted the Bessborough Commission, only two agreed to sign the main report, William Shaw² signed one collateral report, The O'Connor Don another, and Arthur Macmorrough Kavanagh a third. The reports, however, of the Bessborough Commission, with all their individual divergences, completely demonstrated the failure of the 1870 Land Act and the fallacy of supposing that the landlords of Ireland could be expected to legislate impartially for their tenants.³

After urging the gravity of the situation they recommended legislation upon the basis of the Three F's; namely, Fair rents, Fixity of tenure, and Free sale; whilst the whole body of both the Richmond and the Bessborough Commissions were agreed in advocating the constitution of a court for the settlement of differences between landlords and tenants in regard to rent. One of the most important suggestions of the Bessborough Commission was "that a rent which was paid at any time within the last twenty years, and which continued for not less than ten years to be regularly paid," should be always assumed to be a fair rent, unless new conditions had in the meantime arisen unfavourable to the tenant. They also recommended that all rents that had not been raised during the preceding twenty years should be considered fair and exempted from the jurisdiction of the Court; a proposal which if carried into effect, would have applied to about 4,700,000 acres of Irish soil.

The Bill, therefore, which Gladstone introduced on the 7th of April, 1881, was founded upon the combined recommendations of the Richmond and Bessborough Commissions, and was an unwise attempt to extend the system of the "Three F's," condemned by himself in 1870, to land tenure throughout Ireland, and the commencement of that policy which has stirred the bile of the Irish landlord without satisfying the Irish tenant.⁴ As regards the first F, the Act failed to afford any definition of a fair rent whatever, the very point that should have been thoroughly elucidated; but it was to be a sum from which tenants' improvements were to be deducted. Fixity of tenure was limited to a lease of fifteen years renewable for ever, through litigation, at these intervals of time. The right of free sale had already existed before 1881, but the landlord by raising the rent had been able to render the value of the tenant-right useless.

¹ Frederick George Brabazon Ponsonby, sixth Earl of Bessborough (1815-1895). Baron Dowse was the fifth Commissioner.

² William Shaw (1823-1895), member for the County of Cork.

³ Appendix LXXX, extract from Commissioners' main report.

⁴ The Duke of Argyll, who was opposed to its introduction, had resigned, and stated his reasons for doing so in the House of Lords on April 8.

By the new Bill this, indeed, could no longer be done ; but there were still considerable restrictions, the privilege of pre-emption at the price fixed by the Land Court as the value of the tenant-right being reserved to the landlord in accordance with the analogy of the Ulster Custom. A tribunal called the Land Commission, to consist of three members,¹ one of whom was always to be a judge or ex-judge of the Supreme Court, was appointed to carry the new law into effect and clothed with almost absolute power, especially in regard to its decisions as to fair rent, which were to be final. It was to be assisted by a body of intelligent sub-Commissioners as Courts of first instance, and to eke out its existence through a maze of lawsuits. Appeal to this Court was to be optional and not compulsory, every tenant from year to year who came under the description of "present tenant" being able to go before it and have a judicial rent fixed for his holding. This judicial rent was to last, in the first instance, for fifteen years, during which time no eviction would be possible, except for non-payment of rent or a distinct breach of covenant ; but, on the expiration of that period, the landlord or tenant might apply to the Court for a revision of the rent ; and, if the tenancy were renewed, the same conditions as to eviction were to hold good. The Court in its capacity of a Land Commission was also empowered to assist tenants to purchase their holdings, and furthermore to purchase estates itself from landlords willing to sell, for the purpose of reselling them to the occupiers when three-fourths of the latter were ready to buy. The Court might advance three-fourths of the purchase-money to tenants, and was not prohibited from advancing the whole sum, if it saw fit to do so ; whilst tenants who availed themselves of these purchase clauses were to obtain a guaranteed title and only to pay a very small sum for legal costs. Emigration also was to be included among the purposes for which advances might be made.

An evicted tenant was to be able to sell his interest and claim compensation for the improvements he had made upon his holding. The Act also provided that in cases of all leases of less than sixty years the tenant at the expiry of the lease, if resident on his farm, need not hand it back according to his contract, but could remain a "present tenant" with all the rights of permanent occupancy attaching to that position. The Ulster tenant, while retaining the privilege of his local custom, was to be allowed the protection of the general provisions of the Bill for controlling augmentation of rents. Certain classes of lands, namely, demesnes, residential holdings, town parks, and large pastoral farms, remained outside the scope of the new Bill,

¹ The three Commissioners were : John O'Hagan, a lawyer ; E. F. Litton, a landlord and barrister ; and S. E. Vernon, an agent and landlord.

as had been the case with the Land Act of 1870, and its provisions, moreover, only applied to tenants at will, that is, subject to a notice to quit; tenants under leases being practically excluded from its purview. It was confined, too, to "present tenants in occupation" at or near the existing time, and did not apply, except indirectly in the event of the landlord raising the rent, to "future tenants," who might hold by contracts made after the passing of the Bill, and this provision very naturally acted as an incentive to certain landlords to dispossess their present tenants and create "future" ones. Moreover, the Bill acted retrospectively only in regard to those tenants against whom process of ejectment had been begun but not concluded. The landlords were to be allowed to retain what were usually known as "royalties," that is to say, timber, minerals, mines, and sporting privileges; they were to be able to enforce the payment of rent by means of the ordinary remedies, and the statutory leases were to be subject to certain conditions, borrowed for the most part from the Ulster Custom, the violation of which might lead to their forfeiture.

Under the Land Act of 1870 compensation for improvements was restricted to tenants who were leaving their holdings; but by the new measure improvements were paid for irrespective of this condition by being exempted from rent, when the amount of the "fair" rent was adjusted by the Commission. The Bill also increased the amount of compensation payable to the occupier in the event of disturbance, and limited the power of "contracting out" to a smaller class of tenants than had formerly been the case, in fact to large capitalist farmers. The subdivision and subletting of farms was, moreover, prohibited as in the case of the Act of 1870.

Before the Bill passed the Commons, a series of prolonged discussions took place upon what was known as the "Healy Clause." On the 27th of July, T. M. Healy, in order to make it clear that, in fixing the rent, the Court should not take the improvements of the tenant into account against him, proposed the insertion of a clause to the effect that—

"... The judicial rent for any further statutory term should not exceed the judicial rent for the next preceding statutory term unless in respect of capital expended by the landlord on such holding since the commencement of such preceding term or unless such holding has, independently of any improvement effected by the tenant thereon, increased in value since the commencement of the said preceding statutory term."

Law,¹ the Attorney-General for Ireland, as well as Gladstone,

¹ Hugh Law (1818-1883). He succeeded Lord O'Hagan as Lord Chancellor for Ireland in 1881.

considered Healy's amendment unnecessary, as it could not be supposed that under the Bill a tenant's improvements could be taken into account against him in fixing a fair rent. In view of this objection, therefore, Healy withdrew his amendment and substituted for it the following—

"That the judicial rent for any further statutory term shall not exceed the judicial rent for the preceding statutory term in respect of any improvements made by the tenant."

But neither did this amendment give complete satisfaction, being opposed by Salisbury in the Upper House, where it was being piloted by Lords Carlingford and Selborne. Finally, after various modifications had been proposed and withdrawn, the Healy clause was embodied in the Bill to the following effect—

"No rent shall be allowed or made payable in any proceedings under this Act in respect of improvements made by the tenant or his predecessors in title, and for which, in the opinion of the Court, the tenant or his predecessors in title shall not have been paid or otherwise compensated by the landlord or his predecessors in title,"—the words "or otherwise compensated" enabling Irish Courts to rule length of enjoyment as an element to be taken into account in considering the value of a tenant's improvements. Another amendment which was introduced by E. Heneage was finally made part of the Bill. He moved to exclude English-managed estates from the operation of the Act, and although the proposal was rejected in the Commons with the help of the Nationalists, it was reintroduced by Salisbury in the Upper House and carried. A further provision was added by which the Court was empowered to quash those leases contracted since 1870 which might be shown to have been drawn up with a view to defeating the objects of that measure. The emigration proposals, which were distasteful to the Irish party, were also largely modified, the total expenditure for this purpose being limited to £200,000, not more than a third of which was to be spent in any one year. A clause was also introduced authorizing the Commissioners to make advances to tenants for the purpose of clearing off arrears of rent which had accrued for three years, and with this crop of amendments and additions on its shoulders the Bill, after having occupied fifty-eight sittings, eventually became law on August 22, 1881.¹

¹ The Bill was very distasteful to some of the aristocratic Whigs. The Duke of Bedford withdrew his support and his Duchess resigned the post of Mistress of the Robes. The Duke of Argyll, who was Lord Privy Seal and had a seat in the Cabinet, also resigned.

Whilst the Act of 1870 was a remedial, that of 1881 was a revolutionary and socialistic measure. But the Irish landlords had brought it upon themselves. They were the unfaithful servants who had hidden their talent in a napkin. They refused to sweep their own house, so it was decided to sweep it for them. Tyrants in old days, who had goaded their dependents to madness and despair, they had not profited by the experience of history and were now forced between the shafts and compelled to drag their burden of responsibility under the lash of the law. So has it always been—"Thy sin shall find thee out"—but they were remarkably surprised that they had been discovered so soon. Crouching behind custom, they thought that their defence having stood for so long would last for ever; but it had been crumbling at its base for a century and toppled over at a rough knock given it by a big man. And there they were left shivering, and naked, and uncomely, and none pitied them, no not one.¹

The two historians, W. E. H. Lecky and John Morley take diametrically opposed views of the Act of 1881, and their opinions are quoted in the Appendices as a piece of inimitable cacophany. Lecky says the landlords were punished for the crime of loyalty.² This is strong language for so impartial a writer. The crime of the Irish landlords was not their loyalty, but their inability or refusal to render their tenants contented with their lot. This was the justification for a radical change. The minority had been tried and found conspicuously wanting. How many more years was the trial to be continued? Until every discontented tenant had disappeared from Ireland, or the people had grown strong enough to rise up and hurl the owners from the soil? The truth of the matter was that the interest of the Irish landlord was not compatible with the welfare of the Irish tenant. One was eager to become rich and the other was not satisfied to have his pocket picked. One was the lean wolf and the other was the defenceless, succulent lamb, and thus it was found necessary to draw the fangs of one and put a sufficiently strong barrier round the other. This was the crime of the absentee landlords, if Lecky will have it that they were indeed criminal. We see in them rather the natural instinct of a bird of prey anxious only to fill its own crop. The crime lay rather in the rulers of Ireland who, sitting in an atmosphere undisturbed by outrage and intimidation, had for so long watched the vultures

¹ But though the Irish grievance was somewhat abated, it was not dead. As Matthew Arnold wrote at the time in his *Irish Essay*—

"But the memory of an odious and cruel past is not so easily blotted out. And there are still in Ireland landlords, both old and new, both large and small, who are very bad, and who by their hardness and oppressiveness, or by their contempt and neglect, keep awake the sense of ancient, intolerable wrong."

² Appendix LXXXA, quotation from W. E. H. Lecky.

feeding upon the entrails of their victims and held their hands.¹

The sub-Commissioners under the Act were grossly underpaid and, will it be believed, never even received instructions from the Land Commission as to the way in which their duties were to be performed. The result of their meddling was therefore a foregone conclusion. They gave satisfaction to neither party, but, as their chief business was to cut down extortionate rent, they frequently, through their incapacity for the work, lowered rents below their just level, and so wronged the landlord more than the tenant. The view they took of the rent-fixing system was curious. Competition, according to their economic canons, had nothing whatever to do with "fair rent," and they therefore indiscriminately abated rents wholesale, deducting fifteen or twenty per cent. from the existing rent without any consideration as to how long the former one had existed or upon what sort of estate it was being paid. Deterioration of land, whether through the fault of the landlord or the tenant, or both, was practically ignored by them as an element to be considered in fixing rent, and thus a premium was put upon knavery, and direct encouragement given to wilful and dishonest waste in order to work rent down. They, moreover, took hardly any account of landlords' improvements in their calculations of what a "fair rent" might be, and actually lowered rents in cases where landlords' improvements had largely added to the value of the holding, or again left them at practically their old figure, when the properties had deteriorated thirty per cent. The further they struggled, the more inextricably did they become entangled in the bewildering web of their infirmities. They neglected to take into account the sums paid on the transfer of farms by incoming to outgoing tenants, that is to say, the tenant-right. Now, these sums were given subject to the existing rents, and as they amounted not unfrequently to one-third or one-half of the value of the fee, afforded an irrefragable proof that the existing rents in such cases must be "fair" from the very constitution of human nature. In addition to this flagrant stupidity the Land Commission nearly always affirmed the imbecile rulings of their subordinates in cases of exasperated appeal from the decisions of the latter. The Land Commissioners were, it is true, empowered under the Act of 1881 to appoint "independent valuers" to examine lands and report on their rent-paying capabilities, but the statements of "valuers" were never intended to dispense with the duty of hearing appeals in detail. Nevertheless the Land Commissioners, when adjudicating on "fair rent" appeals, almost wholly relied on the reports of these men, who were not only not witnesses and unsworn, but were not subject to examination on the part of the suitors before the Court.

¹ Appendix LXXXB, quotations from John Morley.

The primary object of the Land Commission was to allay the discontent of the Irish occupiers against the existing system of land tenure, and by reducing rents and thus holding out a competitive bribe to the peasantry to neutralize the agitation carried on by the Land League. But, as we have seen, no attempt was made by the Commission to determine the principles on which a "fair rent" should be calculated, and the rental was fixed in many cases not so much according to what the land was really worth, as what could comfortably be paid for it by a peasant, however indolent or worthless he might be. Thus rent was inevitably encouraged to gravitate to the level of the worst kind of husbandry. The nadir of efficiency became the standard of returns, and the sweat of honest labour evaporated when it saw the reward of sloth. Moreover, a "fair rent" was seldom determined by the current price of the market, but, by a truly remarkable process of calculation, generally resulted, whatever the circumstances might be, in a sum from a third to a fourth less. The working of the Act was also found detrimental to the turbary rights of tenants; for the Land Courts decided that the right of taking turf from the landlord's bog, which up till then had been held as part of the holding in the ordinary sense of the term, was not part of the letting of the holding, and that consequently the landlord was at liberty to take away the right altogether, or charge for it what he pleased. The landlords were not slow to take the hint, and many of them either recouped themselves out of increased turbary rents for the reduced ordinary rents, or held their arbitrary power of withdrawal of turbary rights over the heads of those tenants who showed signs of wishing to go into the Land Court to have their rents reduced. More important defects of the measure from the tenants' point of view were that it was not retrospective, and that it failed to deal with arrears. It was moreover an Act which had no immediate self-operating effect on being passed. Parnell had indeed suggested that a provision should be included in the Bill by which a standard for agricultural rent in Ireland should be fixed either on the Government's or Griffith's valuation, and that the Act should declare that after such and such a date rents should be fixed according to the standard chosen, the landlord and tenant both having a right of appeal in the event of dissatisfaction; but his suggestion was not adopted at the time, although it was embodied in the Bill passed in 1887. But the fundamental error which underlay the Act was the attempt to keep alive in Ireland a system of land tenure that was utterly unsuited to the people of the country; a system that had engendered all the grievous trouble of the last two centuries, and was gradually being driven from its stronghold in the struggles of the legislature to amend, but at the same time to preserve it. Rather than this

it would have been more honest and far more just had the landlords of Ireland been bought out. The sacrifice would have been insignificant in comparison with loss of honour. Ireland's governors had planted the landlords upon the soil and were pledged to see that in the event of their enforced displacement they should be given ample compensation. It was a beggarly, cowardly policy, however morally neglectful of their duties as landlords they might have been, to hunt them from the country by piecemeal confiscation; and it was characteristic of those rulers' Irish statecraft to shut their eyes to the truth that the only way to relieve a body of its thorn is to extract it.

This last Act, then, was the legacy of a couple of centuries packed with legislation. This was the Irish horn of abundance in the year 1881. The Irish land question was further removed than ever from any description of visible solution. The landlords were penniless, and many of them in a state of exasperated frenzy, and the occupiers of the soil no whit more contented, in fact more universally discontented than during the years which preceded the legislation of 1870. The Irish members of the Parliament at Westminster were to be seen leaping to their feet, exulting, whenever they had the opportunity, in the symptoms of their rulers' discomfiture; whilst the same men were consistently bent on obstructing the progress of all public business, thus supplying the foreign press with ample material for comment on British constitutional machinery. The greater part of the West of Ireland and a multitude of smaller districts were radically disaffected and disloyal to English rule, and completely under the influence of agitators, and the problem of secondary and University education was still unsolved, and the absence of a proper system a palmary disgrace to the boasted progress of a civilized age. The wretched island had diminished in population from eight millions in 1840 to little more than four millions in 1880. You saw the poverty of its people. You felt their hatred of the English race. You heard of the Irish emigrants in America and elsewhere who, loathing the memory of Irish laws and the very name of England, looked forward to the day when they hoped possibly to return to their beloved land and wipe out the symbols of their shame and British ascendancy even in their rulers' blood. Finally, you caught the laughter and mocking voices of foreign peoples, who marvelled at the futility of English exertions, the incompetence of English statesmen, and the pusillanimous nature of the attempts to govern Ireland on what were proudly imagined to be English lines.

Incompatibility of temperament has been the stumbling-block in the government of Ireland; the problem of race the secret source of the Irish difficulty. The souls of the Celt and Saxon have never merged; their instincts are disparate and

discordant, and their national characteristics as wide as the poles asunder. The Saxon being thus out of sympathy with the Celt has never been able to fathom him, whilst the Celt on his part has stubbornly refused to be moulded to the pattern or absorbed into the mental system of his rulers. Through all the long years of British domination the Celt has preserved inviolate his primitive individuality, which issued like a force of nature from one of humanity's ancient founts, and has never been adulterated by alien tributaries like that of its Saxon counter-type. Through all the crowded period of devastating wars, savage persecution, and finally frantic efforts for reform the Saxon has made no decipherable impression upon the Celtic character, and might as well have traced his statutes upon the margin of the sea.

What manner of man is he who can neither be cajoled nor broken by his masters; who was trampled under foot by the descendants of the Norman Conqueror, but in a few years' time had obliterated the very birth-marks of their origin, dressing these iron warriors in his own fantastic garb and almost effacing their identity? What manner of man again is he, who shrunk to half his former dimensions through ill-usage and bad government, yet demands menacingly, uncompromisingly, after five hundred years of yokedom, with every probability moreover of obtaining it, all that he ever asked for? He is not a man of stern and resolute purpose, or deeply calculating ambition. He does not possess those adamant qualities against which the reverses of fortune hurl themselves in vain, and which command success in spite of all obstacles. His statesmanship has always been of the hustings and electioneering order, and his political vision is contracted to the parish where he dwells. It is not in his nature to tranquilly bide his time like some brooding schemers of history, and make great sacrifices to gain his ends, nor has he any of those potential faculties of will and passion, that grow fierce with dark keeping, and bursting at length through their prison-walls culminate in volcanic and successful revolution. He is full of dreams. He is a large-eyed and wonder-loving child, weaving the web of his opulent imagination into pictures of the future and the past. He is emotional, extravagant, reckless, inconstant, fond of display, and generous to a fault. His impetuosity and eloquence shine from his liquid eyes and betray themselves in all his gestures and expressions. He is witty, boastful, and utterly undependable. He is the most unpractical and lovable man alive. His humour and good nature, his hospitality and untruthfulness are inexhaustible. If he lacks ballast, he is the best company in the world, and a convivial gathering of clever Irishmen is a veritable refection of the gods. Never lend him your money if you want to see the colour of it again, but make him a gift of it and go and thank God, for he would share his

last crust with you and be grateful for the opportunity. There is something elemental in the Irishman that has remained untinctured by the various racial strains that have compounded the Briton into what he is. He is an uncontrollable creature of impulse, surrendering himself with unreflecting *abandon* to the joys and sorrows of the moment. He is unmanageable as a young colt that can forgive stripes more easily than a saddle and bridle. Those symbols of subjugation all but break his heart. He plunges and lashes out at friend and foe alike until he gets the reputation of a "rogue," though in reality he wishes no man ill so long as he can stretch his neck in liberty and enjoy the freedom of the plains.

But had these been his only characteristics there would have been no insuperable or enduring Irish difficulty. There is something in the Celt, however, untameable, unforgetful, deep-abiding, that changes not. It is the genius of race, the medullary fluid in the framework of the nation, the powerful tribal essence that remains unmodified through all the vagaries of the organism. He may be unconscious of its existence, but there it is, sleepless, insistent, unsubdued, and ever-present. It is the compelling undercurrent which flows steadily and noiselessly out to sea from under the tossing, frothy surface-water that breaks upon the beach. You stand shoulder-deep in the waves and feel it streaming past your ankles. Oblivious of the changes of the weather, of high wind and driving rain, of breakers or dead calm, that treacherous, irresistible, everlasting undercurrent will sweep you off your feet, and carry you out and end you and your plans, when the bright face of the summer sea looks as innocent and unruffled as a child's. Once divert this current into the channel of your hopes, gather up its energy in sympathetic co-operation with your British aspirations, and the Irish problem is solved. Such a consummation can be effected only by a mental revolution in Great Britain, the outcome of more perfect intimacy with all shades of Irish character, and that again can only be brought about by social and hymeneal intercourse between the two nations in every class of life. The average Saxon, as he at present exists, is conspicuously unqualified for the task. He can be a staunch friend, it is true. You can depend upon his word and trust his judgment. He has a strong will, pursues his objects with dogged perseverance, and has without any doubt a capacity for statesmanship. But he is phlegmatic, unimaginative, and commonplace. He is suspicious of acquaintances and undemonstrative to his friends. He is, moreover, self-satisfied and smug. You know him by his cold demeanour and his prosaic and colourless observations. His stolid stare and insular intolerance are unmistakable. He is fonder of making money than giving

it away, and, if you should happen to borrow from him and forget to pay him back, will never forget the omission or forgive you in his heart. Above all things he must never be subjected to adverse criticism. Pick holes in his character, comment unfavourably upon his methods and morality, and he has done with you for ever. You are unclassed, a heretic, an eaves-dropper, a traitor in the camp, a miserable spy, and he will shun you like a pestilence. Is it remarkable that he cannot comprehend the Celt? Would it not be more so if he did? What has John Bull to do with dreams and undercurrents? If the Celt refuses to conform to the type that is worshipped in Great Britain, so much the worse for him.

And so the years roll on while destiny unfolds itself. Statute is added to statute and century to century, and it is a matter of moonfaced wonder to the daily press, to the man in the club, and the man in the street that five hundred years of British rule have failed to solve the Irish riddle.

In 1882, whilst the Coercion Bill consequent upon the Phoenix Park murders was going through the House, a complement to the Land Act of 1881 was passed in the shape of an Arrears Bill. During Parnell's imprisonment in Kilmainham Jail he had matured in his mind a measure dealing with the land question of which this complementary Bill was part. He had assured Parliament that it would facilitate the working of the Land Act of 1881 in the case of the smaller and weaker tenants, and had promised, in the event of his proposal being accepted, to do his utmost to influence the larger tenants to fall in with the Government arrangements. But the Government did not pass the Arrears Bill until 1882, whilst that portion of Parnell's scheme which related to leaseholders was not carried into effect until 1887, when the Leaseholder's Bill was passed under a Conservative Government. By the Arrears of Rent Act, which became law in July 1882, it was provided that, if the rent due in 1881 were paid, and there were arrears of rent antecedent to that date which the tenant was clearly unable to pay, the whole of these arrears could be cancelled by the payment of half of them, this moiety not to exceed one full year's rent, the State paying the other half. The effect of this conciliatory measure upon crime in Ireland was immediate and striking. For the two years 1880 and 1881 the average of murders was $12\frac{1}{2}$; in 1882 alone the number was 26; whilst the average of the five years from 1883 to 1887 was 4. Again, for 1880 and 1881 the average of cases of firing at the person was $45\frac{1}{2}$; in 1882 alone the number was 58; whilst from 1883 to 1887 the average was 12.6. For 1880 and 1881 the average of cases of incendiarism was 283; in 1882 alone the number was 281; whilst from 1883 to 1887 the average

was 110. For 1880 and 1881 the average of cattle outrages was 128; in 1882 alone the number was 144; whilst from 1883 to 1887 the average was 61. For 1880 and 1881 the average for threatening letters was 1,764; in 1882 alone the number was 2,009; whilst the average from 1883 to 1887 was 389·8. For 1880 and 1881 the average of cases of firing into dwellings was 105; for 1882 the number was 117; whilst the average for the five years 1883 to 1887 was 29·6. Thus, taking these crimes together, they averaged for the years 1880 and 1881 2,338; in 1882 alone they reached a total of 2,635; whilst for the five years 1883 to 1887 they showed an average of only 607. Even the argument that the decrease of crime was consequent upon the Coercion Act, passed at the same time as the Arrears Bill of 1882, does not hold good. For under the Coercion Act, which was in existence in 1881 and 1882, crime had not only not diminished, but during the time that Land Leaguers were being imprisoned had, as we have seen, considerably increased.

The same year that the Supplemental Bill was carried a Committee was appointed by the House of Lords to inquire into the working of the Land Act of 1881. The Irish landlords were kicking against the pricks; the new collar of 1881 was chafing them, and they thought that if, perchance, any flaw could be found in the administration of the Act, they might be able to ease their necks and shift their responsibilities. But nothing came of their action except the exposure of the motives which had led to it, and a resolution which was passed in the Lower House—"That Parliamentary inquiry at the present time into the working of the Irish Land Act tends to defeat the operation of that Act and must be injurious to the interests of good government in Ireland."¹

¹ Appendix LXXXI, Land Courts.

CHAPTER XVI

FROM THE LAND ACT OF 1881 TO THE REJECTION OF THE FIRST HOME RULE BILL, 1886

"It is always a most difficult task which a people assumes when it attempts to govern, either in the way of incorporation or as a dependency, another people very unlike itself. But whoever reflects on the constitution of society in these two countries, with any sufficient knowledge of the states of society which exist elsewhere, will be driven, however unwillingly, to the conclusion that there is probably no other nation of the civilized world which, if the task of governing Ireland had happened to devolve on it, would not have shown itself more capable of that work than England has hitherto done. The reasons are these: First, there is no other civilized nation which is so conceited of its own institutions, and of all its modes of public action, as England is; and secondly, there is no other civilized nation which is so far apart from Ireland in the character of its history, or so unlike it in the whole constitution of its social economy; and none, therefore, which if it applies to Ireland the modes of thinking and maxims of government which have grown up within itself, is so certain to go wrong."—JOHN STUART MILL (*England and Ireland*).

ON August 29, 1881, after Gladstone had carried his Land Bill through Parliament, a meeting was held at Newcastle-on-Tyne to protest against the coercive policy of the Executive, at which Joseph Cowen spoke very bitterly of the system of police government and the inefficiency of the recent Land Act for any purpose of lasting reform. The meeting was succeeded by a further one in the Dublin Rotunda in which delegates from all the branches of the Land League in Ireland took part. Parnell was one of the speakers. He had lately purchased Richard Pigott's papers, and formed the "Irish National Newspaper and Publishing Company, Limited." He had abandoned the *Shamrock*, converted the *Flag of Ireland* into *United Ireland*, and continued the *Irishman*, William O'Brien being appointed editor of the two last, which now became the Land League organs. Parnell's policy towards the Land Act had been skilful. By opposing it and treating it with suspicion, and by keeping up the agitation he had succeeded in obtaining larger reductions under the Bill than if the farmers had had immediate recourse to the Courts. Whilst ostensibly looking askance at the measure, he had taken care to secure the best administration of it possible in the interests of the tenants. At the meeting in the Rotunda he proposed, with a view to save the individual tenants expense in the matter, that a trial should be made of the Act by average test cases selected from various parts of Ireland. He declared

that the condition of labourers in Ireland was grievous, and that their complaints, which were justified by their circumstances, were now formally recognized by the League which was henceforward to be a Land and Labour League. As a result of this speech the Land League advised the tenant farmers to postpone the submission of their cases to the newly constituted Land Courts until the test cases of the League had been decided, a scheme which, however, was never carried out. Not long afterwards Gladstone entered upon what was known as his Leeds campaign, —a political excursion against Parnell in particular and the Irish Parliamentary party in general. In September, Forster paid a visit to Hawarden and warned Gladstone of the words used by Parnell to the effect that the latter intended to present cases which the Commission would have to refuse, and then to treat the refusal as showing that the Commission could not be trusted and that the Bill had failed. Gladstone now became alarmed, and on October 7, 1881, delivered a speech at Leeds in which he attacked Parnell in the bitterest language, hurling the accusation against him of attempting to plunge his country into disorder so that he might wreck the efficacy of the Land Act.¹

The truth was that Gladstone was infuriated by the action taken by the Land League to test the virtue of his measure and by the advice given them by Parnell. The latter had persuaded his Fenian friends that the measure was little better than a mockery and had loaded it with ridicule; and as Parnell was a powerful personality, and Gladstone was proud of the legislative offspring of which he had delivered himself with so much trouble, the latter soon found a pretext for placing hostile criticism in chains. Two days after Gladstone had spoken at Leeds, Parnell, seconded by John Dillon, answered him in Wexford, fiercely attacking the policy of coercion and reiterating his former strictures on the Land Act. This gave Gladstone the desired opportunity, and suddenly, on October 13, a descent was made by the police upon all the prominent leaders of the Land League in Dublin. Parnell, as we have seen, was arrested at his hotel on the 13th of October and lodged in Kilmainham Jail, and Thomas Sexton, O'Kelly, John Dillon, O'Brien, and J. P. Quinn, the secretary of the League, were likewise apprehended in rapid succession and sent to join him there. Hereupon a hubbub of expostulation arose in Ireland. Meetings were held and resolutions passed, and the spirit of liberty was conjured on every platform in the country not to abandon the inhabitants of an island that had never known its substance. Every sort of league, some great, some small, sprang on the morrow into existence like mushrooms after a shower, and lived as long. The Ladies' Land League, which had been formed a short time before the

¹ Appendix LXXXIA, extract from speech by W. E. Gladstone.

suppression of the Land League, added its parrot voice to the rest, inelegantly swelling the volume of indignant clamour but adding nothing to its sense. A Children's Land League even, and a Political Prisoners' Aid Society also reared their little heads and strove to keep the agitation alive, but the Government paid no heed, and went upon their way to reap what they had sown and gather in the full harvest of their statesmanship.

Catching at any straw to save his Bill from drowning, Gladstone wrote on December 19 a letter to Cardinal Newman, putting the case of the Irish priests before him, and leaving it to his discretion whether it would not be a just course to lay the facts of the situation before the Pope in order that His Holiness might use his influence in favour of order and discourage the priests from their anti-governmental agitation. In 1844, during O'Connell's Repeal campaign, Peel had made a more or less similar appeal to Gregory XVI to discourage agitation in Ireland. But Newman replied that the question was properly a political, not a theological one, and that the Pope could not well take any steps in the matter.

Suddenly in the midst of this agitation the walls of Dublin were placarded with a proclamation calling upon the Irish people to pay no rent as long as their leaders were in prison. This document, known in history as the "No-Rent Manifesto," and published on October 17, 1881, in *United Ireland*, was signed by Parnell, President of the Land League, A. J. Kettle, Michael Davitt, and Thomas Brennan, honorary secretaries, John Dillon and Thomas Sexton, head organizers, and Patrick Egan, treasurer. But the excitatory virtue of the manifesto exhausted itself with the first surprise it had created. It was the work of the extreme men carried out whilst Parnell was in prison and was condemned by the bishops and priests. It failed to move the mass of the population, and rents continued to be paid as before. Meanwhile a number of women, members of the Ladies' Land League, were thrust into prison in different parts of the country, among them Miss Hodnett in County Kerry and Miss Hannah Reynolds, whilst *United Ireland*, the most advanced of the national newspapers, was proscribed and for the time being practically suppressed. By this time a new organization had made its appearance—a fresh symptom of the malady from which Ireland was suffering, one of the secret humours that were forcing their way from the vitals to the surface. This last portent was a league of desperate men under the leadership of a mysterious individual, known as "Captain Moonlight," who scoured the country by night, burning farms, mutilating cattle, and committing every description of abominable crime. In January 1882 two of Lord Ardilaun's bailiffs, an old man and his grandson named Huddy, were sent to collect rents in a part of Conne-

mara known as Joyce's country. As they failed to return within the expected time, a search was instituted and their bodies were found at the bottom of Lough Mask, into which they had evidently been flung after being murdered and tied up in sacks weighted with stones. In February an informer of the name of Bernard Bailey was shot dead in Skipper's Alley, Dublin, at a time when the place was crowded with people and patrolled by several constables. On April 2 of the same year Smythe, a large landowner in Westmeath, who had become very unpopular with his tenants, was returning from church in a carriage with his sister-in-law, Mrs. Henry Smythe, and Lady Harriet Monck, when he was fired at by three men with blackened faces. Smythe himself escaped unhurt, but his sister-in-law was struck in the head, and the unfortunate woman was instantly killed. Smythe, distracted by the event, wrote to Gladstone laying at his door the burden of responsibility for the dastardly crime; whereupon the latter sent him a letter in reply omitting to notice the imputation and expressing his poignant grief for the terrible calamity that had befallen his family.

The increasing numbers of the suspected persons imprisoned under the recent Coercion Act had meanwhile alarmed some of the Ministry, and a complete change of policy was suddenly agreed upon. The Government determined to meet Parnell half way and try how far a conciliatory attitude would act as a balm to the Irish sore. Parnell commenced by opening negotiations with Gladstone through an Irish Home Rule member in the shape of Captain O'Shea, and confabulations were held between the latter and Joseph Chamberlain. On April 10 Parnell had a long conversation with Justin McCarthy and another the next day with Captain O'Shea. On the 23rd he saw McCarthy again, and on April 25, 1882, Chamberlain laid the result of the various interviews before the Cabinet. Parnell demanded a Bill to cancel arrears of rent in a certain class of holdings on payment of a sum to the landlord out of the Irish Church surplus fund, and various amendments of the Act of 1881 were asked for. Parnell's views were explained in a letter to O'Shea dated Kilmainham, April 28—

"I desire to impress upon you the absolute necessity of a settlement of the arrears question which will leave no recurring sore connected with it behind, and which will enable us to show the smaller tenantry that they have been treated with justice and some generosity.

"The proposal you have described to me as suggested in some quarters of making a loan, over however many years the payment might be spread, should be absolutely rejected, for reasons which I have already fully explained to you. If the arrears question be settled upon the lines indicated by us, I have every confidence—a confidence shared by my colleagues—that the exertions which we should be able to make

strenuously and unremittingly would be effective in stopping outrages and intimidation of all kinds.

"As regards permanent legislation of an ameliorative character, I may say that the views which you always shared with me as to the admission of leaseholders to the fair rent clauses of the Act are more confirmed than ever. So long as the flower of the Irish peasantry are kept outside the Act there cannot be any permanent settlement of the Land Act, which we all so much desire.

"I should also strongly hope that some compromise might be arrived at this session with regard to the amendment of the tenure clauses. It is unnecessary for me to dwell upon the enormous advantages to be derived from the full extension of the purchase clauses, which now seem practically to have been adopted by all parties.

"The accomplishment of the programme I have sketched would, in my judgment, be regarded by the country as a practical settlement of the land question, and would, I feel sure, enable us to co-operate cordially for the future with the Liberal party in forwarding Liberal principles; so that the Government, at the end of the session, would, from the state of the country, feel themselves thoroughly justified in dispensing with further coercive measures."

Although the Cabinet would not give Parnell any pledge, Gladstone determined to move in the direction of conciliation. In the midst of these intrigues Cowper resigned the Irish Viceroyalty, and Lord Spencer, who had filled that post in Gladstone's first Government, was appointed to succeed him. On May 2 the Prime Minister formally proposed to the Cabinet the release of Parnell and the two other Members of Parliament imprisoned with him and the introduction of a Bill to strengthen the ordinary law in Ireland for the security of life and property, while reserving the discretion of the Government with regard to the Life and Property Protection Act of 1881: In consequence of this change of attitude Forster resigned the Chief Secretaryship the same day. He was of opinion that no suspect ought to be released until the new Coercion Act had been framed, and his self-love was perhaps wounded by the appointment of Spencer who, an expert in Irish administration, would necessarily have no inconsiderable share in the government of the country. Parnell had been released from Kilmainham on parole on May 2, 1882, and negotiations were immediately opened with him. Both sides were desirous of a respite, the one from the eternal nightmare of rebellion, the other from the perpetual strain of agitation which left no leisure for maturing its separatist schemes. Parnell let it be understood that, if concessions were made in regard to arrears of rent and the state of things was perhaps modified at the Castle, not only would order be restored in Ireland, but the leaders of the Land League might be able to co-operate with the Liberal Party in the pursuance of mutual interests. The Government acquiesced in these suggestions, and an agreement being

arrived at on these shadowy terms of reciprocal benevolence, the "Kilmainham Treaty" was launched upon history. On May 2 it was announced that Parnell, Dillon, O'Kelly, and Michael Davitt were to be released unconditionally, and that an Arrears Bill on the lines of a measure drafted by Parnell himself was to be introduced by the Government at no late date.

Forster's resignation was but natural. He had continually risked his life in carrying out his system of coercion, which had brought odium upon his own head without attaining the objects it was framed for, and was disgusted at the Government's change of front and the complete reversal of their policy. He explained his policy to the House on May 4, a disappointed man, and confronted by his triumphant enemy, Parnell, who sat calmly looking at him with folded arms from an opposite bench. He was soon succeeded by the ill-starred Lord Frederick Cavendish,¹ the husband of a niece of Mrs. Gladstone's, who had framed a plan of finance at the Treasury for a new scheme of land purchase. He and Cowper were instructed in the new scheme of conciliation, which, as Gladstone said, was to replace coercion, and at the same time pacificatory promises were held out to the League in regard to the tenure of Irish land.²

On the 6th of May, 1882, society was staggered by the assassination of Cavendish and Burke³ in the Phoenix Park. They were stabbed to death with amputating knives, and the murder seemed the more ghastly as Cavendish fell an accidental victim to an outrage in which he at least had never been meant to be included. Lord Spencer did not himself witness the tragedy from his window, as has been sometimes stated, but his brother's servant saw it and thought it merely the horseplay of a few roughs. Burke had been accustomed to drive from the Castle to the Park gate and then to walk home followed by detectives. On this occasion unfortunately he found at the gate that Cavendish had passed, and drove on to overtake him without the detectives. Had they followed, his life might have been saved. On the perpetration of the deed the leaders of the National Party, Parnell, Dillon, and Davitt, at once issued an address to the people of Ireland expressing their horror and despair at the shameful crime which had brought disgrace upon their country,⁴ and in Cork, a meeting chiefly composed of Nationalists and

¹ Lord Frederick Charles Cavendish, second son of William Cavendish, seventh Duke of Devonshire (1836-1882).

² Appendix LXXXIb, quotation from *Annual Register*.

³ Thomas Henry Burke (1829-1882). He had been appointed Under-Secretary in 1869.

⁴ Appendix LXXXII, Address.

Land Leaguers unanimously passed a resolution in the same strain.¹

The Land League had certainly nothing to do with this black deed either in the planning or the execution, the murder probably being due to the disappointed fury of a few extreme Fenians, who had heard of the "Kilmainham Treaty" and saw in it one more betrayal of the cause of Ireland. An incident occurred in connection with the Phoenix Park murders which is worthy of record as showing the unscrupulous persistency with which the characters of Irishmen were blackened to foster the unhealthy prejudices of their opponents. On the Sunday upon which the news of the tragedy arrived in England, John Redmond had arranged to address a meeting in Manchester. On his way to the place of meeting he suddenly heard of the assassination of Lord Frederick Cavendish in Dublin, but not of that of Burke, and so in expressing his sorrow at the meeting for the terrible fate that had befallen Cavendish, he naturally made no mention of the other, of whose death he was unaware. The *Times* newspaper instantly seized upon this apparent want of sympathy, and made use of the occasion to revile Redmond in its columns, drawing attention to the fact of his having omitted to notice Burke's death. Redmond hereupon wrote a letter to that paper fully explaining the omission and clearing himself of all possibility of invidious interpretation. But the *Times* refused to publish his explanation. In view of this refusal to give publicity to the truth, Redmond not long afterwards took the opportunity of publicly making the same explanation in the House of Commons, namely, that at the time of the Manchester meeting he was completely ignorant of Burke's assassination. But the *Times* omitted from its Parliamentary report all reference whatever to his statement. Sir Charles Russell, speaking of the action of the *Times* in this regard, said before the Parnell Commission—

"I think in reference to this incident, I am using language justifiable and justified by the facts when I say that it was conduct that would properly be characterized in the circumstances of the case as nothing short of infamous."

There is one other incident connected with this crime that may be mentioned here as showing the nobility of human nature

¹ The Cork resolution ran—

"That this meeting of the citizens of Cork, spontaneously assembled, hastens to express the feelings of indignation and sorrow with which it has learned of the murders of Lord Frederick Cavendish and Mr. T. H. Burke last night, and to denounce it as a crime that calls to Heaven for vengeance; to repudiate its authors, whoever they may be, with disgust and abhorrence, as men with whom the Irish nation has no community of feeling; and to convey our condolence with the families of the murdered."

even in the extremest anguish. Lady Frederick Cavendish, on hearing of her husband's death, exclaimed, in words that will live longer than most, that she could give up even him, if his death were to work good to his fellow-men, which indeed was the whole object of his life; and to Gladstone she said on the night of the murder, "You did right to send him to Ireland." Could the mother of the Gracchi have said more?

Parnell offered to immediately resign his seat, if Gladstone thought such a step necessary for the carrying out of his plans and the maintenance of his position; but the Prime Minister wrote on May 7 declining the offer, being, however, "deeply sensible of the honourable motives by which it has been prompted." Whilst to Lord Granville¹ he wrote: "My opinion is that if Parnell goes, no restraining influence will remain; the scale of outrages will be again enlarged; and no repressive Bill can avail to put it down."

A series of horrible crimes followed upon this murder. On June the 8th Walter Bourke and his military escort were shot at from behind a loopholed wall near Gort, and both killed. On the 29th of the same month John Henry Blake, Lord Clanricarde's agent, and Keene, his steward, were also shot dead from behind a loopholed wall near Lough Rea. This latter outrage was committed in consequence of what were known as the Woodford evictions and Lord Clanricarde's evident indifference to the feelings of humanity in respect to the tenants upon his estate.² It was in the neighbourhood in which the Woodford evictions took place that a "Tenants' Defence Association" was formed to combat the incorrigible selfishness of such men as Lord Clanricarde. It was a body separate from the Land League and fired with all the enthusiasm of youth, but its object, though laudable, was pursued with efforts which turned out to be altogether ineffectual. The feeling of exasperation was still running high among those men who recognized no law but their own sense of self-preservation, and found expression in terrible deeds which set men pondering whether after all there might not be something amiss in the methods by which Ireland was governed. On the night of August 17 a party of armed men entered the house of a man named Joyce, in Maamtrasna, in the Joyce country, who, it was feared, might betray the murderers of the Huddys, and massacred the whole of his family, with the exception of one of two sons who was severely wounded—that is to say, Joyce himself, his wife, his mother, one son, and a

¹ Granville George Leveson Gower, second Earl Granville (1815-1891), at this time Foreign Secretary.

² Appendix LXXXIII, quotations from Chief Baron Pallas, W. E. Gladstone, and Sir George Trevelyan.

daughter. Three men suspected of the murder were executed, and six others sentenced to penal servitude for life, three of the latter, Martin Joyce, Patrick Joyce, and Thomas Joyce, being eventually released in 1902. Soon after the Joyce murder another man alleged to have participated in the murder of the Huddys was likewise hanged. One of the four who were executed, Myles Joyce, swore on the scaffold that he was innocent. The other three admitted their guilt, but declared in a paper which was submitted to the Lord-Lieutenant that Myles Joyce was innocent of the crime. He was nevertheless hanged. On November 11 an attempt was made by Patrick Delaney, who was afterwards tried for the Phoenix Park murders, to assassinate Judge Lawson,¹ while walking in Kilkenny Kildare Street, Dublin; and in the same month Field was stabbed almost to death just outside his house in Dublin for having served on a jury which had convicted a prisoner charged with the murder of a policeman.²

Stern coercion, which has rarely failed as a temporary remedy in Ireland when vigorously applied, had, since the Phoenix Park murders, been brought to bear upon the disaffected portions of Irish society, a Crimes Bill based upon the suggestions formerly made to Gladstone by Lord Cowper being introduced by Harcourt on May 11, 1882. The Land League, the nursery of disaffection, had, as we have seen, been suppressed since 1881, but Parnell, following consciously or otherwise the earlier policy of O'Connell on the suppression of the Catholic Association, merely proceeded to re-establish it under another appellation. The step was settled upon in the "Avondale Treaty," as he termed the decision arrived at between himself, Dillon, Brennan, and Davitt at his home in Avondale. On the 17th of October, 1882, an Irish National Conference, summoned by a circular of the 18th of September, signed by Parnell, Davitt, Dillon, Thomas Brennan, Thomas Sexton, T. M. Healy, and Arthur O'Connor, was held in the ancient concert rooms in Dublin for the purpose of forming an organization which should comprehend all sections of the Irish party, and a programme outlining the policy and rules of the new National League was drawn up.³ At the same time a letter was addressed to the Irish people describing the objects of the League.⁴ In this manner was established the "Irish National League,"⁵ which, like the "New Departure" inaugurated by Davitt or the Land League itself, as it had first appeared,

¹ James Anthony Lawson (1817-1887).

² Appendix LXXXIV, quotation from John Morley.

³ Appendix LXXXV, the Programme.

⁴ Appendix LXXXVI, the Letter.

⁵ Appendix LXXXVIIA, quotation from Michael Davitt.

wore a harmless constitutional aspect to the uninitiated eye.¹ Home Rule, Land Reform, and Local Self-Government were the objects it ostensibly aimed at, but in the eyes of the Castle it was a wolf in sheep's clothing, the old Land League in a new dress, that contemplated the subversion of British rule in Ireland and the abolition of the detested race of landlords. Not long afterwards the American Land League, in imitation of its Irish prototype, changed its name to the "American National League," and a branch of the Irish League was also established in England. The Government were now determined to root out the rank growth of anarchy and sedition and to show it no mercy whether in the full vigour of maturity or the incipient stages of early development. At the latter end of 1882 Michael Davitt delivered a speech at Navan in which the delicate nostrils of authority instantly detected the foul breath of treason, and early in 1883 he and T. M. Healy, one of the ablest of Parnell's lieutenants, were sent to prison for six months. But they immediately proceeded to turn their annoyance to some advantage, for during their enforced confinement the two men had every opportunity of conversing with each other, and the intercourse which thus took place contributed very largely to cement the relations between Davitt and Parnell, which at one time threatened to become estranged. Whilst in Richmond Prison a resolution, passed by the Glasgow branch of the Land League Organization, was sent to Davitt pressing him in strong terms to accept the offer of release which the Government had made on the condition that he would deliver no more speeches. The Glasgow branch urged him to give the required promise on the ground that another Convention was to be held in America² in 1883, and they considered it important that he should be present at it in order to deprecate and frustrate any violent policy which might be advocated during the state of exasperation in which the Irish American Land Leaguers then were. Davitt replied on the 25th of March, 1883, in a long letter written to Ferguson, a man who had presided at various meetings of the Land League in Dublin, in which he showed how far removed both he and Parnell were from the execrable Fenian policy of dynamite and outrage.³ In his letter he quoted Forster's words to the effect

¹ Messrs. Brennan and T. Harrington were nominated joint honorary secretaries of the National League, the latter becoming permanent secretary of the organization. The new organ of the national movement was *United Ireland* under William O'Brien's direction.

² The fifth convention of the Land League and the first of the National League of America took place in Philadelphia on April 25, 1883. There were 854 branches of the American Land League represented on the first day and a total of 1,109 delegates present at the proceedings of the two next days. Alexander Sullivan of Chicago was elected President of the new National League of America.

³ Appendix LXXXVII, extract from letter.

that had the murders not occurred in Ireland she might have shortly become ungovernable—that, in fact, the murders had supplied the convenient occasion for a Coercion Act. Could any greater condemnation have been levelled against the policy of Ireland's governors than Forster's words? This was an admission which, like an egg, contained a great deal of meat. It was a candid and compendious confession, and Dublin Castle must have blushed at this ingenuous display of dirty linen. What it meant was shortly this, that the policy of the Land League had an enthusiastic body of public opinion behind it; that its leaders had won the confidence of the Irish people in their struggle for reform; that its methods of agitation were too constitutional to be sacrificed on the altar of ordinary law, and that, therefore, if the League was to be crushed (and what was more necessary for the peace of the Castle?), new machinery must be invented for the work of destruction; that it was necessary, however, to find a plausible excuse for dragging forward another battering-ram to bear upon the liberty of a nation, and that the vile excesses of a few criminals outside the League had furnished the pretext that was so much wanted; that, had it not been for this wind-fall and the coercive measures that immediately followed in its track, the voice of Ireland might have grown too strong, and the resolution of a whole people, roused at length to a consciousness of their power, wrung from their rulers what their rulers had refused to give them.

On February 12, 1883, Forster rose in the House of Commons and fiercely and bitterly attacked Parnell, practically accusing him of organizing and abetting crime in Ireland. Parnell remained silent at the time, much to the surprise of the House, and did not make any reply till the next day. He then showed that Forster's attack was influenced by personal disappointment, and denounced Patrick Ford, the Fenian, and his dynamite policy—which he could not have done had the charge so frequently brought against him of sympathy with the perpetrators of outrage been true. About a month later Parnell introduced a Bill to amend the Land Act of 1881. It provided for the inclusion of certain classes who were left out of the Act of 1881, such as leaseholders and the occupiers of town parks. It also proposed to extend the operation of the purchase clauses. The chief provisions of the Bill were—

1. The dating of the judicial rent from the gale day succeeding the application to fix the fair rent.
2. Power to the Court to suspend proceedings for ejectment and recovery of rent pending the fixing of a fair rent, on the payment by the tenant of a rent equal to the Poor Law valuation of his holding.

3. A definition of the term "improvement" as any work or agricultural operation executed on the holding which adds to the value of the holding, or any expenditure of capital and labour on the holding which adds to its letting value.

4. Direction to the Court that, in fixing fair rent, the increase in the letting value of the holding arising from improvements effected by the tenant or his predecessor in title shall belong to the tenant, and the landlord shall not be permitted to ask for an increase of rent in respect of such increase of letting value.

5. The use and enjoyment by the tenant of his improvements shall not be held to be compensation for such improvement.

6. The presumption as regards the making of the improvement to be for the future in favour of the tenant.

7. Power given to leaseholders and to holders of town parks of applying to the Court to fix a fair rent; and lastly, the Land Commission to be permitted to advance the full amount of purchase money, and in the case of holdings under £30 the period of repayment to be extended over fifty-two instead of thirty-five years.

On January 13, 1883, a far more important arrest was made than any that had preceded. Seventeen Fenians who had been watched by the police and had caused grave suspicion of participation in recent crimes, were suddenly seized and lodged in jail, one of their number being a man named James Carey, a well-to-do tradesman and a town councillor. The accusation made against them was a conspiracy to murder certain Government officials and other persons, and on the 20th of January they appeared in court to answer the charge. One of the prisoners, Robert Farrell, a labourer, now turned informer to save his neck, and his evidence was listened to by the Court with extraordinary interest. He disclosed the fact of the existence of a secret organization inside the Fenian Association proper, composed of bold, desperate men, carefully selected from the larger body and organized for the assassination of Government officials and other persons. The various members of this inner circle were unknown to the majority of their colleagues, each member being acquainted only with the fellow-conspirator who swore him in, and who was known as his "right," and the candidate for infamy to whom he in turn administered the oath of brotherhood and who was known as his "left." Farrell was not himself a member of this inner circle, but described the methods upon which it worked and a series of abortive attempts that had been made to take Forster's life. On February 8 the inquiry was directed towards the Phoenix Park murders, and knives were produced from Carey's house which medical evidence showed to be the instruments which in all probability had been employed in the butchery of

Cavendish and Burke. Further evidence of a damning character was now produced. A chairmaker and his wife, who lived at the strawberry beds, identified Edward O'Brien and Joseph Brady as having been in the Phoenix Park on the day of the murder; whilst the keeper of a deer-keeper's lodge testified to seeing a car with Joseph Brady on it pass out of the Chapelizod Gate on the evening of the crime. Another witness also swore to having seen Brady as well as M'Caffrey in the Park on the same evening. On February 10 Michael Kavanagh, the car driver, turned informer. On May 6, 1882, he had driven Joe Brady, Tim Kelly, and two other men whose names he did not know, but one of whom he identified as Patrick Delaney, to the Phoenix Park. On their arrival there they found James Carey waiting for them; and when the moment came for the perpetration of the murder, Carey gave the signal by raising a white handkerchief. The four men having done the deed mounted the car and were rapidly driven from the scene by Kavanagh. On February 17 Carey turned informer and strained the excitement of the Court to the highest pitch. He demonstrated with an unconcern worthy of Cellini the methods which he had employed to lure men into the Fenian organization and the manner in which he had arranged the accursed crime in the Phoenix Park. In 1861 he had joined the Fenians and had been a prominent member until 1878. In or about October 1881 the "Invincibles" had been formed, as was afterwards discovered, by Captain M'Cafferty, the American. These conspirators stood outside the Fenian body proper, although composed of men drawn from its ranks, and the oath which Carey took as leader of the latter pledged him to obey all the orders of the Irish Invincibles under penalty of death. At the head of this tribunal of about thirty members there stood a mysterious individual, whose name Carey never knew, but who was always called "No. 1" when referred to, and whom later evidence identified as a man called Tynan. "No. 1" issued most of the orders and seemed to supply the money, and it was he who, when the attempts on Forster's life had failed and Cavendish and Forster had resigned, determined that Burke, who was an Irishman and a Catholic, and therefore peculiarly hated, should be the next victim.

On Carey's evidence Joseph Brady, Daniel Curley, Michael Fagan, and Timothy Kelly were found guilty and sentenced to death. Thomas M'Caffrey and Delaney, who had pleaded guilty, were condemned to a like fate, but Delaney's sentence was finally commuted to penal servitude for life. The five others were hanged. Mullett and Fitzharris were sentenced to penal servitude for the terms of their natural lives, and Edward M'Caffrey, William Moroney, and George Smith to ten years' penal servitude. On the day of the execution huge

crowds gathered outside the prison gates, and kneeling upon the bare ground passionately prayed for the men whom they looked upon as martyrs in a noble cause. The *Irish World* also, which at that time was in active hostility to the National League, opened a subscription for the families of the men who had been executed for the crime, and the money thus collected became popularly known as the "Martyrs' Fund." Carey's evidence signally failed to connect the Land League as a body with the "Invincibles." He accused, indeed, certain subordinate members of the Land League of being concerned in Burke's assassination (a man in his position and with his character would not be particular whose reputation he imperilled), but he was unable to prove any sort of connection between the mysterious society of the "Invincibles" and the Land League as an organized body. In fact, so far from there being any good-fellowship or fraternity between the two bodies, it was shown on the contrary that the chief men representing the Land League in Parliament were looked upon with enmity by the hirelings of murder. Thus one of the assassins kept a diary in which he recorded from time to time his opinions in regard to the various political events which in turn happened to influence the particular atmosphere in which he moved, and one of these records gave, in undisguised and unmistakable language, full expression to the writer's scorn and contempt for Parnell and those who, like him, were pursuing the methods of constitutional agitation. The evidence extracted at the trial conclusively proved another point, namely, that the murder of Lord Frederick Cavendish was, as we have said before, a blunder on the part of the assassins, wholly unplanned and entirely unintentional.

Carey, the one conspirator whose courage had collapsed at the thought of the rope, and who had saved his own neck by hanging his fellow-plotters, became the object of ferocious and unquenchable hatred. Soon after the trial he was sent to South Africa to escape the rage of the avengers, but on nearing Port Elizabeth towards the end of July 1883, on the *Melrose Castle*, from which he had been transferred from the *Kinfanus Castle*, he was shot dead by a man named O'Donnell, who had travelled out on the same ship with him with the deliberate purpose of committing the deed. O'Donnell was brought to England and executed in Newgate on December 18, but his crime was no disgrace in the eyes of the Irish Fenians, and a monument was erected in the principal Catholic cemetery to Carey's murderer with an epitaph graven upon it entrusting the memory of his martyrdom to the care of his fellow-countrymen.

On December 18 Joseph Poole, convicted of the murder of a suspected informer named Kenny, was also hanged in Dublin. In fact, the year 1883 was black with crime. A

conspiracy in Ulster to assassinate the local landlords was unravelled by the police during the course of the same twelve-months. A certain Patrick Duffy had turned informer and ten of the twelve men brought to trial in Belfast were sentenced to ten years' penal servitude, the remaining two being condemned, one of them to seven, and the other to five years' imprisonment. The dynamite outrages had also contributed to the state of general terror which prevailed all over the United Kingdom. On March 15 an attempt had been made to blow up the offices of the Local Government Board at the corner of Whitehall and Charles Street, but fortunately not much damage had been done. A simultaneous attempt to blow up the *Times* office had proved abortive through the failure of the mechanism of the infernal machine employed. Early in April the police discovered another conspiracy, and succeeded in arresting eight men concerned and seizing a large quantity of nitro-glycerine, which had been manufactured in Birmingham and was being secretly conveyed to London. Although none of the prisoners could be identified with the perpetrators of the attempt upon the offices of the Local Government Board and the *Times* office, their connection with the Irish-American advocates of dynamite was conclusively established. To meet these determined attempts an Explosives Bill was introduced the same month by Sir William Harcourt and rapidly passed into law, but crime was too nimble for the clumsy fingers of legislation, and the outrages still continued with the same impunity as before. On October 30, 1883, two explosions took place on the Metropolitan Railway, one between Westminster and Charing Cross, and the other between Praed Street and Edgware Road; a great deal of damage was done and many persons wounded, but no one was actually killed. On February 26, 1884, another explosion took place in the luggage-room of Victoria Station, and a large part of the building was wrecked. Attempts were also made to blow up Blackfriars Bridge and the stations at Charing Cross, Ludgate Hill, and Paddington, but in each case the machinery employed was defective, and the calamity was thus averted. On January 24, 1885, two explosions took place in Westminster, which did great damage, but caused no loss of human life, and with these last outrages this diabolical form of crime became gradually extinct.

In 1883 the Agricultural Labourers (Ireland) Dwellings Act was introduced by T. P. O'Connor and passed. The act was subsequently modified through the instrumentality of Dr. Chorley Tanner, member for Mid-Cork, so as to abolish the limit of a plot of land to half-an-acre and to extend it to one acre. Applications for cottages had to be made by *bona fide* agricultural labourers and supported by ratepayers. After a proper inspec-

tion by the sanitary authority of the existing cottages of the applicants, the local board of guardians (after 1898 the local council) took steps for the erection of suitable houses with plots of land. The rent was not to be a profit rent, but was to be measured by the annual interest chargeable upon the rates for the money borrowed to purchase the land and build the house. The cottages and land were to remain the property of the community, the rent being paid to the local rate collectors. Between 1883 and 1903 from sixteen to eighteen thousand of these cottages were built in the two southern provinces.

Towards the end of 1883 the old feud between the Orange and Green factions was revived in Ireland in all its old intensity. Parnell's victory at Monaghan had enraged Orangemen. That Orangeism should lose influence in its own head-quarters was insufferable, and it was determined to try and recover the ground that had been lost. Whenever it was known that a Nationalist meeting was to be held, a counter Orange demonstration was immediately arranged. Thus a National meeting was announced to be held in Rosslea, in Fermanagh, on October 16, 1883, whereupon Lord Rossmore, Grand Master of the Orangemen of the County Monaghan, and a justice of the peace, signed a proclamation urgently calling upon the Orangemen to oppose it. But the Government had learnt a little wisdom, and, recalling a few of the features of the history of Ireland, were chary of risking a fresh struggle between a nation and a sect, and a large force of military and police were poured into the district, thus averting the collision between the two parties so ardently desired by Rossmore. As for the heady noble, he was very shortly removed from the Commission of the Peace for his conduct, to the disgust and indignation of his supporters who regarded him as a martyr and a patriot. Not long after this incident a circular, signed by Captain Charles Alexander, was issued advising the Orangemen in every district to enrol themselves into an armed volunteer force, to lay in stores of arms, and to create, in fact, a complete military organization. The circular was significant, the temper of it not entirely novel in the history of Ireland, but the year 1883 was a little too late a date for an elaborate massacre of Roman Catholics.

Early in 1883 a subscription had been organized among the Irish Nationalists for Charles Stewart Parnell in recognition of his services to them, and was progressing steadily, when a letter disapproving the collection, signed by Cardinal Simeoni, Prefect, and Monsignor Dominico Jacobini, Secretary of the Sacred Congregation de Propaganda Fide, was addressed on May 11 to the Irish Bishops. The only effect this protest had was to largely increase the subscriptions, which finally amounted to £39,000. The attitude of Rome towards Irish Nationalism may

have sometimes seemed anomalous to a casual observer ; but that attitude is easily explained. Home Rule meant a great diminution in the numbers of Catholics in the House of Commons and the creation of an Irish Parliament in which there would be a strong Protestant minority, which in existing circumstances had little chance of making itself heard. For this reason Rome felt that her position in a united kingdom was a better one than it would be were the Union dissolved. Towards the end of 1882, as described in the previous chapter, George Errington, an Irish Catholic Whig member, had gone to Rome ostensibly on his own affairs. Before leaving England, however, he had an interview with Lord Granville, who gave him a letter of recommendation which he was authorized to show to the Papal Secretary of State. This information was squeezed out of the Ministers on the floor of the House of Commons, and showed pretty clearly by whom the Papal rescript condemning the Parnell tribute had been instigated. On December 11, 1883, a banquet was given to Parnell in the Dublin Rotunda at which he was solemnly presented with the testimonial that had been raised. He took the opportunity of delivering a speech on the occasion in which he very characteristically omitted to convey his thanks or even to allude to the cheque, but impressed upon his hearers the great power of the Irish party in the scale of English politics, and declared that there was every reason to hope that the existing generation would not pass away until Ireland had obtained her great birthright of national independence, and with this terminated the stormy year eighteen hundred and eighty-three.

In 1885 the Franchise Act was passed. The borough franchise in England before this time had been much lower than in Ireland, the system of suffrage in the weaker country being founded upon the old principle which still existed in English and Irish counties. In English boroughs every rated householder possessed the privilege of the franchise without regard to the value of the house in which he lived, and the right to vote was conferred by any tenement whatever in which he and his family lived, whether a lodging-house or a room separately held. In Ireland, on the contrary, the right to record a vote in a borough depended upon the value of a house and the amount of its rental, and no house in an Irish borough could qualify for a vote, if it was rated at Government valuation at less than £4. Occupiers of lodgings were entitled to vote, if the latter were worth four shillings unfurnished per week, or more. In counties the occupier's franchise was nominally the same in England as in Ireland, that is to say, £12 ; but from the mode of valuing in the two countries England had more than one and a half times as many voters in proportion to the population. The result of

this distinction between the English and Irish franchises had been that, before 1885, taking boroughs and counties together, two men out of every five in England had had votes against one in five in Ireland. The population of the Eastern division of Staffordshire, the South division of Northumberland, the North-Eastern division of Lancashire, and the North Riding of Yorkshire was, before the Act of 1885, 728,881 with 53,421 electors, whilst that of the counties of Dublin, Limerick, Mayo, and Down was 754,042 with 26,402 electors only. Thus with a larger population the four Irish counties had 27,019 fewer voters than the less populated English ones. The same anomaly was observable in the boroughs. The population of Sheffield, Blackburn, Chatham, Newcastle-on-Tyne, Aylesbury, Berwick-on-Tweed, and Brecon was 626,579, with an electorate of 95,150, whilst the population of Dublin, Cork, Limerick, Belfast, Londonderry, Kilkenny, and New Ross was 685,680 with an electorate of only 44,311. The Franchise Act of 1885 changed this. St. John Brodrick proposed an amendment omitting Ireland from the scope of the Bill, but it was opposed by Lord Randolph Churchill and others and defeated by 322 to 137. The parliamentary franchise was, as regards Ireland, bestowed upon all persons who possessed a house, that is to say, on an electorate composed for the greater part of small cottars and labourers. The inequalities in the franchise between England and Ireland were thus smoothed away, and household suffrage was established in counties and boroughs throughout the kingdom. The first result of this extension was to greatly increase the power of the "National League," the Home Rulers being returned to the House of Commons in the election of 1885 eighty-two strong out of a total of 103 Irish members, and it ultimately gave additional weight to the already immense influence of the Catholic priesthood. In fact, it showed in which direction the stream of public opinion ran.

On May 12 an Irish Educational Endowments Bill, which had been brought down from the Upper House, was read a first time in the Commons, but no further proceedings were taken in regard to it by Gladstone's Government. On Salisbury becoming Premier it was completely redrafted, and piloted through the Commons by Hugh Holmes, the Irish Attorney-General. On August 11 it was read a second time, and the amendments considered the following day. On the 13th it was recommitted for the introduction of the necessary money clauses, read a third time, and sent to the House of Lords; and on the 14th of August it passed and received the Royal assent.

On May 15, 1885, Gladstone announced the intention of the Government to continue certain clauses of the Coercion Act, and the Opposition immediately perceived the opportunity that had

been thrust into their hands. Lord Randolph Churchill,¹ at a Tory club, vehemently attacked the new policy, and soon after Lord Salisbury and his adherents decided to bid for Parnell's support by throwing over the old habits of coercion. This scheme was made all the easier for them on account of the differences of opinion that prevailed in the Cabinet. Lord Spencer and his followers were in favour of the Coercion Act in a modified form, accompanied by a Land Purchase Bill and a limited extension of self-government in local areas; whilst the Radicals were against recourse to coercion, as also to a Land Purchase Bill, but were ready to consent to a milder form of coercion on condition of there being erected a central administrative board for the whole of Ireland, besides self-government in local areas. They finally agreed to a new Coercion Bill limited to two years, Gladstone and Spencer having been in favour of a longer term, Chamberlain and Charles Dilke of a shorter one. On the question of Irish local government there were two main divisions of opinion in the Ministerial camp. One side advocated a system of representative county government, and the other, which had the support of Chamberlain and Parnell, the creation, as mentioned above, of a central board for all Ireland. This body, which was to exist in addition to the county boards, was to be municipal and not political, in the main Executive and administrative, but having the power to make bye-laws, raise funds and pledge public credit, as Parliament might provide. It was also to have under its control primary education, poor law and sanitary administration, and public works; the whole charge of justice, police, and prisons remaining with the Executive. The board was not to be directly elected by the whole Irish people, but to be chosen by the representative county boards, and property was to be represented upon it as distinct from numbers. This plan of a central board was not agreed to by a majority of the Cabinet, all the peers except Lord Granville being against it, although the remainder, with the exception of Lord Hartington, were in favour of it, and so the minutiae of the scheme were not discussed.

On May 15, 1885, the drafts of a Coercion Bill and a Land Purchase Bill were laid before the Cabinet. Dilke and Chamberlain immediately proceeded to offer opposition to the latter measure, but announced that they would not resist the introduction of the two Bills, if the Purchase Bill only provided funds for one year, as, in their opinion, the question of local government might be prejudiced by a more extended provision. On May 20, therefore, Gladstone gave notice of a Land Purchase Bill, imagining that all was safe; but Chamberlain and Dilke instantly

¹ Randolph Henry Spencer Churchill (1849-1895), third son of John Winston Churchill, seventh Duke of Marlborough.

handed in their resignations on the score that they could not agree to it unless it were accompanied by definite assurances as to local government. After considerable discussion the misunderstanding was patched up, and the resignations, although not formally withdrawn, suspended. On June 5 the Cabinet agreed that Gladstone should give notice of a Bill to take the place of the expiring Crimes Act, and on June 8 it was decided to 'abandon the coercion clauses of the latter and leave the Irish Executive the power to bring the procedure clauses into force at their discretion, no definite determination being arrived at as regards the intimidation or boycotting provisions.

On the same day the Liberal Government was beaten by a Conservative-Irish coalition on the second reading of Childers' ¹ Budget by 264 to 252, an amendment having been moved by Michael Hicks-Beach condemning the increased duty on beer and spirits without a corresponding increase on wine, and the raising of the duty on real property without any accompanying relief to rates. Gladstone therefore resigned, and Lord Salisbury proceeded to attempt to form a Government. In a short time, however, he came to the conclusion that the task was impossible, as Gladstone, founding himself upon the Peel-Russell precedent of 1849, declined to give his promise to support him. But at length this obstacle was surmounted, and a Conservative Government was formed with Salisbury as Premier.

The next event that put all Ireland in a ferment was the declaration made in Parliament by Lord Carnarvon,² the new Lord-Lieutenant, as to the future Irish policy of the Conservative Government, which amounted to conciliation to Ireland and renunciation of the policy of coercion. Lord Randolph Churchill, who probably had some sort of an understanding with Parnell, said—"Undoubtedly we do intend to inaugurate a change of policy in Ireland. . . . The policy of the late Government so exasperated Irishmen—maddened and irritated that imaginative and warm-hearted race—that I firmly believe that had the late Government remained in office no amount of bayonets or military would have prevented outbreaks in Ireland." This opened up a new vista of hope to the Irish, and their joy was not greater than their astonishment at this scattering of manna by such a hand. On the top of this came what was known as the "Maamtrasna debate." A motion had been made by Parnell for a strict inquiry into the case of forty men who had been condemned to death under Spencer's Administration, and of whom twenty-one had been already executed. But the attack fell flat, and Spencer was entertained at a banquet on July 24, Hartington

¹ Hugh Culling Eardley Childers (1827-1896), succeeded Gladstone as Chancellor of the Exchequer in 1882.

² Henry Howard Molyneux Herbert, fourth Earl of Carnarvon (1831-1890).

presiding, as a recognition of the honourable manner in which the former had administered his Viceroyalty during his term of office. Chamberlain, however, who had been out of sympathy with Spencer's policy of coercion, was not present.

On October 7, 1885, Chamberlain paid a visit to Gladstone at Hawarden, and discussed the political situation in connection with Ireland, the result of the conversation being that Chamberlain considered Home Rule not to be a question of practical politics, and that therefore it had better be excluded, but that he was ready to agree to a Local Government Bill which he thought Parnell might accept. In the autumn of the same year negotiations were begun by Carnarvon with Parnell and McCarthy with reference to the future government of Ireland, much in the same manner as Mulgrave had negotiated with O'Connell. It was afterwards asserted by Parnell in the House that Carnarvon had assured him that the Government intended to offer Ireland a statutory legislature with full control of taxation, and that this offer was to be accompanied by a Land Purchase Bill. This assertion Carnarvon allowed to pass uncontradicted, and in fact it transpired that he had told Salisbury he was going to see Parnell, and had afterwards actually given the Prime Minister an account of the "Empty House" meeting in Grosvenor Square, upon which Salisbury said that he (Carnarvon) had conducted the conversation with Parnell with perfect discretion. Parnell's attitude of mind in consequence of this interview was not surprising. Up to the Reform Act of 1885 he had been willing to accept a Central Council at Dublin for administrative purposes merely, but, inflated with hopes gratuitously supplied by the Government, he now demanded a National Parliament. The Liberals were also moving. Not long afterwards Childers asked Gladstone for his approval of a speech which he, Childers, had delivered to his constituents at Pontefract embodying a scheme of reform. Gladstone replied on September 28, with an ambiguity that had long become a second nature to him, that, if Childers meant that he was in favour of considering the question of an Irish legislature for all questions not imperial, he agreed with him. Speaking a little later, on November 9, 1885, to his electors in Midlothian he said, and the passage is interesting in the light of his subsequent contradictory action—

"Apart from the term Whig and Tory, there is one thing I will say and will endeavour to impress upon you, and it is this. It will be a vital danger to the country and to the Empire, if at a time when a demand from Ireland for larger powers of self-government is to be dealt with, there is not in Parliament a party totally independent of the Irish vote."

On the 17th of the same month he replied at West Calder to Parnell's invitation to proceed in the direction of Home Rule, saying that until Ireland had declared her wishes at the poll

nothing definite could be accomplished. He realized at this time that the best hope of settling the Irish question was that the Liberals should have an independent majority of their own, and failing that, that the Conservative Government should settle it with the help of the Liberals ; but that Parnell should hold the balance between the rival parties was, he thought, the mode least conducive to any satisfactory solution of the riddle. He was against the Opposition framing a Home Rule Bill at this moment, as he felt that a measure of his own framing at this time would not have sufficient force behind it, and that as the Conservatives were in power, they were the proper instruments of reform. This conviction had been greatly strengthened by a speech made by Salisbury at Newport on October 7, 1885, in favour of a central Irish governing body, as against a system of purely local authorities, the latter being, as Salisbury argued, more likely to exercise unjust influence by majorities over minorities when they obtained jurisdiction over a small area. He qualified these observations, however, by stating that the Conservative party would abide by its old traditions with respect to Ireland, and then proceeded to qualify his remarks once more by blaming the policy of coercion pursued by the late Government as exasperating to the Irish people. Having carefully weighed these remarkable pronouncements and arrived after much labour at what parts of them were white and what black, Parnell replied at West Calder to Gladstone on November 19 and handed the Irish vote to Salisbury in a manifesto of December 12, which he authorized the National League of Great Britain to issue, and which denounced the action of the Liberal party as base and urged the electors of Great Britain to vote against Liberals. Parnell had thus thrown the gauntlet down to Gladstone.

An exposure had meanwhile been made by William O'Brien of certain corrupt officials at Dublin Castle. He proved his case amid much opposition from those in power, and various Crown officials were ignominiously dismissed in consequence, to the great disgust of all honourable men, who could not understand how the Castle could err, much less how it could be castigated like a fourth form boy at Eton in a shameful and open manner before all its friends.

The same year the Land Purchase Act of the Salisbury Government (Lord Ashbourne's Act) was passed. The blundering at Majuba Hill, the abandonment of Gordon, and Gladstone's Irish legislation had contributed to set the country against that statesman, but nevertheless a further step was taken to give effect to the policy of tenant ownership which he had inaugurated, five millions sterling being voted out of the surplus fund of the Irish Disestablished Church for the purpose. Instead, however, of

paying part of the purchase money, as had hitherto been the case under the provisions of the Church Disestablishment Act and the Land Acts of 1870 and 1881, the tenant was now to be advanced the whole sum by the State, repayable by a small terminable annuity charged on the land and extinguished at the end of less than half-a-century (49 years). The yearly sum was to be four per cent. upon the money advanced by the State; £2 15s. of this to be interest on the same, and £1 5s. to go to a sinking fund in liquidation of the loan. The five millions were very soon exhausted, and a multitude of tenants turned into owners wherever tenants were desirous of buying and landlords willing to sell land, for the transaction was to be entirely voluntary on either side. The unsound principle of the Act was that the occupier did not really make any sacrifice or purchase at all, for, although the State took ample security for its advances to the tenants, the land was practically given to them for nothing at a very small annual charge lower than any ordinary rent. This generosity was questionable, as the payment of a portion of the purchase price by the tenant in the first instance formed no bad security for the eventual payment of the rest.

The General Election now took place, a dissolution having been rendered necessary by the fact that Lord Salisbury was only kept in power by an accidental majority. After many uncertainties the Liberals were returned in a majority of 82, this being the first trial of the whole body of male householders and of the system of single-member districts under the late Reform Bill. The extension of the county franchise in Ireland had resulted in an enormous Nationalist majority. In Ulster the Catholics and Nationalists joined with the Orangemen against the Liberals, Parnell believing on the ground of what Carnarvon had said that the Tories meant to concede something very like Home Rule. Antrim was the only county out of the 32 that voted solid against Home Rule, whilst not a single Liberal was returned anywhere. Out of 89 contests in Ireland Parnell won 85, 22 of the persons elected having been imprisoned under the Act of 1881; 333 Gladstonians were elected, 251 Conservatives, and 86 Nationalists. Thus Parnell held the scales and was master of the situation. On the result of the election being known, Gladstone offered, through Arthur Balfour, his support to Lord Salisbury in the event of the Conservative Government being willing to legislate for Ireland. Salisbury's Newport speech and Carnarvon's declaration warranted the supposition that the Conservatives meant to do something, but Salisbury was mute and abstained from encouraging this advance. Lord Hartington now demanded from Gladstone a statement of his attitude and intentions in the matter of Home Rule, and on December 17 Gladstone replied that he considered that Ireland

should be given a measure of Home Rule by the Conservative Government, as only a Government actually in power could do it, and the Conservatives would carry it out with the most probable success.¹

The same month Dilke made a speech to the effect that in his own and Chamberlain's opinions an Irish policy fabricated by Gladstone and Parnell would receive no general support from the Liberal party, and that it was safer on the whole to leave the Conservatives in power and let them dole out to Ireland some moderate measures of reform. In consequence of this pronouncement, Herbert Gladstone went to London for the purpose of explaining to certain influential journalists his father's real attitude towards the question. But, far from mending the matter, he only broke more glass, for immediately afterwards there appeared the unauthorized publication of Gladstone's policy as to Home Rule. Gladstone upon this issued a qualified denial of the statement, but this only increased the suspicion in men's minds, and on December 20 Hartington informed the public through his chairman in Lancashire that he held, like an honest man, to his former opinions. This again was followed by a declaration by Chamberlain that the Conservatives were the proper persons to legislate for Ireland, as Parnell had not only appealed to them, but had given them his support. But by the end of December Parnell's faith in them began to wane. He perceived that the likelihood of the Government taking active steps in the direction he desired had disappeared when the unauthorized statements were published that Gladstone intended to deal himself with the question; but he was still disinclined to break with the Government for fear of fresh measures of coercion from the Liberal party. What in fact were the Government to do? They might ask for a vote of confidence, saying that if Gladstone succeeded to power he would undoubtedly propose a Home Rule Bill, or they might face it out and vote for coercion. Unfortunately for the latter alternative, Lord Randolph Churchill had made a speech on November 20 at Birmingham to the effect that crime had greatly diminished in Ireland; but, notwithstanding this, he announced on January 26, 1886 that a Bill would be immediately introduced to suppress the Land League. Carnarvon hereupon resigned, and a Coercion Bill was drafted for presentation to the House.

Early in January, Lord Hartington had written to Gladstone declaring his intention to make a speech in Parliament against Home Rule. The die was cast. The Government had announced their Irish policy, namely, a Coercion Bill and a Land Bill, the latter to be on the lines of the Ashbourne Act of 1885. In view of this complete turnabout, Gladstone determined to have the

¹ Appendix LXXXVIII, quotation from W. E. Gladstone.

Government out, and out it had to go, beaten on January 26 by 79 (331 to 252) on an amendment of Jesse Collings regretting the omission from the Queen's Speech of measures benefiting the rural labourer. Hartington, Goschen, and Sir Henry James voted with the Government, and 257 Liberals and 74 Irish Nationalists against it. Salisbury thereupon resigned (January 27), and Gladstone became Premier for the third time on February 1, 1886. Many fell away from him: Hartington, Goschen, Derby,¹ Northbrook, and John Bright all declined to join his Government. Chamberlain consented to be a member of it, but disagreed with the policy of Home Rule that Gladstone had in his mind. Chamberlain wanted a more limited scheme of local government, accompanied by proposals as to land and education, but as Gladstone left him liberty of judgment and Chamberlain was prepared to examine into Gladstone's more detailed scheme, he remained temporarily in the Administration. John Morley was the Chief Secretary in the new Government, and he and Spencer urged a Land Bill upon Gladstone, although it was not popular with the Cabinet, so that the official policy that was announced was a Home Rule and a Land Bill. Upon this Chamberlain resigned (March 26), accompanied by George Trevelyan, who was Secretary for Scotland, Jesse Collings, Secretary to the Local Government Board, and Heneage, Chancellor of the Duchy of Lancaster. The four chief reasons adduced by Chamberlain for his resignation were that he objected to the cesser of Irish representation, to the grant of full rights of taxation to Ireland, to the surrender of the appointment of judges and magistrates, and, lastly, to proceeding by the enumeration of those things an Irish Government might not do, instead of by specific delegation of what it might do.

On the scheme becoming known, Parnell urged upon Gladstone his financial arguments, namely, that the just proportion of Irish contribution to the Imperial fund was not one-fourteenth or one-fifteenth, but one-twentieth or one twenty-first part, and for some little time a good deal of anxiety was created on the Ministerial benches for fear that Parnell might divide against them on this point.

At length, on April 8, 1886, Gladstone introduced his first celebrated Home Rule Bill. Now Isaac Butt² may be said to have been the real author of the Home Rule movement; for although there had been a movement in favour of the Repeal of the Union soon after the emancipation of the Catholics, and the

¹ Edward Henry Stanley, fifteenth Earl of Derby (1826-1893). Until 1891 he led the Liberal Unionist Peers in the House of Lords.

² Isaac Butt defended the Fenian prisoners in 1865, and was much impressed by their political earnestness and indifference to death. It is said that this circumstance induced him to take the view that there must be something rotten in the state of Ireland, and that the cry for separation was not without excuse.

question from that time had never really slept, the peculiar modification of the arrangements made in 1801 for fixing the relations between the two countries issued entirely from his own study of the question. A small but active party of discontented Protestants had resented the consummation of Gladstone's policy, which had resulted in the disestablishment and practical disendowment of the Irish Church, and they found congenial adherents among the men of "Young Ireland," the Rump of the old Repeal following on the survivors of O'Connell's "Tail," and others who had Fenian sympathies. In May 1870, just after the Land Act of that year had become law, a meeting was held in the Bilton Hotel, Sackville Street, Dublin, attended by Irishmen representing almost every grade of society and shade of political and religious opinion. They met to deliberate upon the political position of Ireland, and to discuss the question as to what should be done to advance the cause of reform. One of the remarkable features of the meeting was that it was chiefly composed of Protestant Conservatives, the element in Irish life so inimical as a rule to the voice of concession. After a brilliant speech, Isaac Butt proposed the following resolution:—"That the establishment of an Irish Parliament with full control over our domestic affairs is the only remedy for the evils of Ireland," and it was enthusiastically and unanimously carried. On May 26, 1870, another meeting took place, at which the Home Rule Association was formally constituted.¹

Butt soon became the leader of the Home Rule movement, and among other prominent members of the Association were Biggar, Patrick Egan, and Thomas Sexton who was at this time Lord Mayor of Dublin. What Butt wanted was Home Rule on the principle of Federalism, that is to say, separate Legislatures for England, Scotland, Ireland, and Wales, and an Imperial Council presiding at their head. It was, therefore, a different movement from the Repeal agitation which aimed at the restoration of Grattan's Parliament; for the latter could negotiate independent treaties with foreign Powers, control any army or navy of its own, and act upon its own initiative in other matters—privileges which Butt did not demand. His scheme, nevertheless, was powerfully attacked by Gladstone, and not without reason, for it lacked that sound bottom without which no reform of the kind had any prospect of enduring. The great advocate of Irish freedom had fiercely denounced Home Rule as a senseless and disgraceful policy and had asked—

"Can any sensible man, can any rational man, suppose that

¹ Professor Galbraith, of Trinity College, is said to have been the author of the phrase "Home Rule."

Appendix LXXXIX, Principles of its constitution.

at this time of day, in this condition of the world, we are going to disintegrate the great capital institutions of the country for the purpose of making ourselves ridiculous in the sight of all mankind, and crippling any power we possess for bestowing benefits, through legislation, on the country to which we belong?"

This tone of righteous horror is peculiarly interesting by the light of later events. It shows that a man's fervent opinion one day may be diametrically opposed to his fervent opinion on another, and it is easy to comprehend that such an amazing transformation at the eleventh hour should have generated discomfort in the breasts of those Radicals who never indulged in inconsistency unless it paid.

In November 1873 a Home Rule Conference was held in Dublin, and the Home Rule Association reconstituted under the name of the Home Rule League. The goal it aimed at was an Irish Parliament to manage the internal affairs of Ireland and control Irish finance, subject to the obligation of contributing a just proportion towards Imperial expenditure, whilst Ireland was to continue to be represented on imperial questions in the Parliament at Westminster. The idea gradually increased in strength supported by the Church and the *Freeman's Journal*, and at the General Election of 1874 nearly sixty Home Rulers were returned for Irish constituencies—Butt with conscientious persistency bringing forward each year a proposal in Parliament in favour of the measure. By the end of 1876 Parnell saw that Butt's efforts were a total failure and he determined to push on for himself. But Isaac Butt was no extremist, and the following year, on April 12, he publicly stated in the House that he disapproved of Parnell's obstructive tactics on the Mutiny Bill. The breach was thus increased, and a correspondence took place between them in the *Freeman's Journal*. On September 1, 1877, the Home Rule Confederation of Great Britain, which had been formed in 1873, and had always been under the control of the Fenians, held its annual meeting in Liverpool. Parnell was chosen President, Butt, the former President, not being re-elected. Butt felt this keenly, and it was the turning-point in Parnell's career, for the Irish Party now looked to him and not to Butt to lead them, and he became the acknowledged chief of that party in the House of Commons which pursued the so-called "active policy," that is to say, the system of forcing concessions from the Legislature by the dead weight of obstruction and the general sufflamination of Parliamentary business. Butt retired from the leadership of the Home Rule Party the same year during the obstructionist struggle in Parliament over the South African Bill, and died on May 13, 1879. He was succeeded by Shaw, Parnell's smaller and more violent party keeping aloof. In March 1880 Disraeli issued a political manifesto in the form of

a letter to the Duke of Marlborough, in which he announced his intention of dissolving Parliament and appealing to the country for a verdict upon his policy. The chief topic of this epistle was the Irish Parliamentary Party whom he virulently denounced, and with much rhetorical flourish he called upon the intellect of England to struggle against the policy of Home Rule. Shortly afterwards the General Election took place, the Liberals were returned to power, and the Home Rule vote in the House of Commons was increased to 64.

There was still nothing to show the line of policy along which Gladstone was destined to go, and it was not until shortly before his accession to office in 1886, after the Salisbury Government had been defeated upon a minor issue, that he suddenly adopted the cause of Home Rule of which for years he had been ostensibly the rigid opponent. The large majority of the Irish Catholics, whose predecessors in 1880 had been more or less indifferent to the question of a Union, were now zealous for separation, whilst the Irish Protestants and Presbyterians, whose forbears had striven against the Union, were now passionately attached to its maintenance. Thus the positions were exactly reversed. The Catholics, indeed, had some reason for desiring a change in the Constitution, for, although they formed an enormous majority in the country, for all purposes of administration of their own affairs they had hardly any power at all. Speaking of this system of injustice Joseph Chamberlain declared on September 8, 1885, at Warrington—

“I do not believe that the great majority of Englishmen have the slightest conception of the system under which this free nation attempts to rule a sister country. It is a system which is founded on the bayonets of 30,000 soldiers encamped permanently as in a hostile country. It is a system as completely centralized and bureaucratic as that with which Russia governs Poland, or as that which was common in Venice under Austrian rule. An Irishman at this moment cannot move a step; he cannot lift a finger in any parochial, municipal, or educational work, without being confronted, interfered with, controlled by an English official appointed by a foreign Government, and without a shadow or share of representative authority. I say the time has come to reform altogether the absurd and irritating anachronism which is known as Dublin Castle—to sweep away altogether these alien boards of foreign officials, and to substitute for them a genuine Irish Administration for purely Irish business.”

And yet men wondered why Ireland was discontented. Elaborate reasons were hunted out to prove that as a race the Irish, like the Galatians, were treacherous and fickle; that there was not a grain of stability in their composition; that in fact they were a fundamentally perverse and incurable people, whose existence on earth was one of the mysteries of the Divine

economy, and whom the only way to govern was by the cat-o'-nine-tails. These wiseacres who inquired into the matter might as well have examined the skull of a man who had been discovered bound hand and foot and weighted with lead at the bottom of a deep well. They might as well have directed their solemn investigations upon the cranial conformation of the drowned man, and pronounced the cause of death to have been the abnormal thickness of the bone behind the left ear, the load of which had sunk him, as try to prove that the degeneration of Ireland was due to the levity or perversity of the Irish character. In fact, for their own reputation they would have done more wisely, for it is possible that some other learned fools might have believed them.¹

In the Bill which Gladstone introduced in 1886 he proposed that a legislative body consisting of two orders should be created to sit in Dublin. It was to have a parliamentary life of five years, renewable by election. The First Order was to consist of 103 members, composed of twenty-eight representative peers and seventy-five other members, the latter having property qualifications either of £200 a year of real estate or personal property of £4,000, elected for ten years by voters having a yearly qualification of twenty-five pounds, and a property qualification of £200 a year. The twenty-eight representative peers could elect themselves as members of the First Order by notifying the Lord-Lieutenant of their desire. They could hold the membership for life or for thirty years. After the expiration of this last term all the members of the First Order would have to be elected on the franchise specified. The Second Order was to consist of 204 or 206 members, including the 103 already allowed by the Act of Union, and an additional 101 were to be elected for five years on the existing franchise. Ireland's representation in the House of Commons was to cease when the Irish Parliament came into existence, provision being made, however, for a temporary return thereto of a certain quota when Ireland's interests required their presence. These two Orders of some 307 members were, as a rule, to sit together, but the First Order was to have for a short period a veto on the decisions of the other. Numerous restrictions were at the same time placed upon the legislative power of the proposed new Parliament. All questions of defence and armed force, all foreign and colonial relations, the law of trade and navigation, and of coinage and legal tender were to remain outside its purview. It could not meddle with certain charters and contracts, nor establish or endow any particular religion. The right, moreover, of imposing customs and excise was especially withheld from it, this privilege being invested in the Imperial Parliament. The Lord-Lieutenant also

¹ Appendix XC, quotation from Sir Robert Giffen.

was to have the power of vetoing the legislative measures of the new body, a form of jurisdiction analogous to the old Royal Veto, whilst they were possibly to be subject to the veto of the British Ministry. The English Privy Council, too, was to be empowered to declare Acts of the Irish Parliament void, if in excess of the constitutional rights of the latter, but, on the other hand, large powers were granted to the new legislature, which was to be able to enact and repeal laws, to pass resolutions, and practically to appoint and control the Irish Executive. Judges and the Royal Irish Constabulary force were to continue for a time under Imperial service, but power was to be given to the new Irish Parliament to organize a civil police, if necessary.

In regard to the financial clauses of the Bill, Ireland was to contribute nearly one-fifteenth instead of one-twelfth, or not far from 7 per cent. to the general expenditure of the Empire; that is to say, a sum of about three and a quarter millions sterling, with a temporary addition of one million; and the whole revenue of Ireland was to filter through the hands of a high Imperial official and to be employed in satisfying the claims of the British Treasury to the amount of about four millions before the Irish Treasury could receive a penny of it. Finally—and this was the signal difference between the present Bill and Gladstone's later proposal—no provision was made for the real representation of Ireland in the Imperial Parliament, although the latter was to have the power of taxation, and to retain, probably, a nominal supremacy over the Irish Parliament in consideration of its Imperial character.¹

Much eloquence was displayed during the debates on this measure. On the second reading Thomas Sexton delivered a speech which Gladstone declared to be the most eloquent he had heard in a generation of great speakers. Lord Hartington moved the rejection of the Bill on the second reading. On the first reading Chamberlain had advocated a Federation Bill, but on the second reading he urged that the relations between Great Britain and Ireland should be analogous to those between the provincial legislatures and the Dominion Parliament of Canada. Parnell also required certain modifications in the shape of a large decrease in the fraction of contribution, due representation for the minority, and a device for preventing ill-considered legislation, the veto of the first order being likely to lead only to obstruction. The Radical opponents of the Bill, headed by Chamberlain, demanded various amendments, namely, the retention of the Irish members, a definite declaration of the supremacy of the Imperial Parliament, a separate assembly for Ulster, and the abolition of restrictive devices for the representation of minorities. In fact, the progress of the Bill was

¹ Appendix XCI, extract from speech by W. E. Gladstone.

hopeless in the face of this opposition. Gladstone therefore suggested two methods of procedure—either to hang the Bill up after a second reading and defer the Committee till the autumn, or prorogue and introduce the Bill afresh with its amendments in October. The Cabinet was in favour of the latter course, but Parnell and the Opposition were against it. On May 10 the Bill had been brought up for second reading, and Lord Hartington had moved its rejection in a weighty speech. On the 12th fifty-two Liberal and Radical members met Chamberlain to concert resistance and to request him to negotiate with Gladstone no longer. On May 14 sixty-four members, thirty-two of whom had been at the meeting of the 12th, assembled at Devonshire House. On the 18th Hartington had made a declaration at Bradford which gave the public a premonition of which way the majority in the House would go. On May 22 the National Liberal Union was formed. On the 27th Gladstone called a meeting of Liberal members at the Foreign Office, and about 260 attended. He said he merely wanted the second reading passed in order to establish the principle of the measure, but that it would be proceeded with no further that session, and that a vote given for the second reading would not tie any member's hands in respect of the Land Purchase Bill. This manœuvre of Gladstone's was attacked in the House next day and exposed by the Opposition. The next move was the calling of a meeting by Chamberlain of the dissentients to the Bill in order to discuss the situation. The meeting was held on May 31, and the scale was turned by a letter from John Bright which was laid before it, condemning the measure on the ground of his belief that a United Parliament would be more just to all classes in Ireland than a Parliament sitting in Dublin, but advising each member to vote according to his conscience. This decided the fate of the Bill, which was defeated on the morning of June the 8th by three hundred and forty-three to three hundred and thirteen, ninety-three Liberals voting against it.

A Land Purchase Bill, which aimed at the expropriation of the Irish landed gentry, had also been introduced by Gladstone on April 16, 1886. Various schemes of land purchase were before the country, the ablest of which perhaps had been proposed that year in *The Economist* by Robert Giffen. Giffen's plan was that the Government should buy out every landlord in Ireland, giving him consols at par, equal in nominal amount to twenty years' purchase of the existing judicial rents. That the land should be given free to the existing occupier, subject only to a rent charge of one-half or two-thirds of the judicial rent his landlord was then receiving, payable to the new local authorities in Ireland, and that the Imperial Exchequer should be relieved of all payments then made out of it in connection with the

Local Government of Ireland. In fact, the cost of Local Government in Ireland was to be defrayed out of Irish resources, and the rent of Ireland was to be handed over to the Irish local authorities for the purpose.¹

Gladstone had declared the total land of Ireland to be worth three hundred millions sterling, and the rented land, which was the subject of the Bill, only one hundred and thirteen millions, and he announced that every Irish landlord who desired to sell his lands to the State would be able to do so, the purchase money being made available within that limit. Only fifty out of the hundred and thirteen millions, however, were to be forthcoming in the first instance, the remainder being left to the generosity of future Parliaments. No landlord was to be compelled to part with a single acre, but, in the event of his deciding to sell his rented lands to the State, he was to receive from the fund set apart for the purpose, after certain deductions, a sum equivalent to twenty years' purchase of the net rental. The Irish Parliament was to create a "State Authority" to purchase such holdings, and in a few cases to become their owner, but the lands in the great majority of cases were to be made over to the tenant occupiers, who, instead of the former rents, were to pay the purchase-money back at the rate of four per cent. per annum, whilst the sums accumulating by these means were to form a security for the advance made by the State to the landlords. A Receiver-General was also to be appointed, under British authority, to receive the rent and revenues of Ireland while the scheme was in operation. The Bill was not a statesmanlike measure, and had many of the features of later land legislation, for, had it been passed, a spirit of animosity would have inevitably arisen between the debtors of the State and the tenants of the non-selling landlords, and given rise, as in after years, to the demand for "compulsory purchase." Gladstone, however, had intended it as an accompaniment to his Home Rule Bill, and on the defeat of the more important measure it was consequently dropped.

Both Bills had thus been rejected and Ireland looked on with comparative indifference. She had no burning desire for a political revolution of this character. What she wanted was the reform of her agrarian and municipal grievances, and her apathy, so often fatal on previous occasions to the schemes of heedless innovators, distressed the partisans of disorder but caused no surprise to the readers of her history.

CHAPTER XVII

THE FALL OF PARNELL AND THE REJECTION OF THE SECOND HOME RULE BILL, 1893

"All things have their appointed end, and English dominion over Ireland must come to an end also. And yet the cause is so plain that there is scarcely a man in either country who does not know what it is. We have professed to govern, and we have not governed or tried to govern, except at intervals so brief that our attempts were as if written upon water. We have sought to reconcile the Irish people to their loss of independence by leaving them to licence. There has never been a time since the first conquest when equitable laws, impartially and inexorably administered, would not have given Ireland peace, and with peace prosperity and liberty."—JAMES ANTHONY FROUDE.

"It is difficult for Englishmen to realize how little influence the people in Ireland have in the management of even the smallest of their local affairs, and how constantly the alien race looms before their eyes as the omnipresent controlling power. The Castle, as it is called, is in Ireland synonymous with the Government. Its influence is felt, and constantly felt, in every department of administration, local and central, and it is little wonder that the Irish people should regard the Castle as the embodiment of foreign supremacy. The rulers of the Castle are to them foreign in race or in sympathy, or in both. . . . If the object of the Government were to paralyse local effort, to annihilate local responsibility, and daily to give emphasis to the fact that the whole country is under the domination of an alien race, no system could be devised more likely to secure its object than that now in force in Ireland."—JOSEPH CHAMBERLAIN, 1885.

A GENERAL Election followed upon the defeat of the Home Rule Bill of 1886, Gladstone having decided upon dissolution as against resignation, and before the final returns were sent in he resigned. Parnell was opposed to his resignation and wanted Gladstone to attack the proposals of registration reform and dissolve upon this question, but the latter knew that the opinion of the country was against him. Lord Salisbury now succeeded to power with a majority at his back, and the Conservatives, together with those Liberals who had seceded from their old leader on account of his Irish policy, formed the new Unionist party. Parliament met on August 5, 1886, with Sir Michael Hicks-Beach as Secretary for Ireland and Lord Londonderry as Viceroy. A great fall of agricultural values had been taking place, and Parnell brought in a Tenants' Relief Bill to meet the crisis. He proposed to stay evictions for non-payment of rent until the ability of the tenant to pay was inquired into; a lodgment of 50 per cent. of the rent due to be made to the landlord's credit as an essential condition of

obtaining redress. Judicial rents adjudicated upon since 1881 were to be again revised in the Land Courts on tenants' applications in consequence of continuous depression, and leaseholders were to be admitted to the benefits of the Land Act of 1881. But Parnell's measure was rejected on September 21, 1886, by 297 to 202. The Irish policy of the Government was now divulged. A Commission was appointed by Lord Salisbury to inquire into Ireland's material resources, and another, known as the Cowper Commission, to inquire into the general state of Ireland. It was composed of Lord Cowper, Lord Milltown, an Irish landlord, Sir James Caird, Neligan, a county court judge in Ireland and a landlord, and Thomas Knipe, a Presbyterian farmer of Ulster. The majority of the Commission passed a report in February 1887, blaming the action of the National League, but urging the necessity of some measure to deal with the unprecedented fall of agricultural values, and declaring that the rents fixed in 1881, 1883, 1884 and 1885 were such as no tenants could reasonably be expected to pay under the circumstances.¹ The Government also decided to suppress the moonlighters of Kerry by regular forces. At the end of the year Lord Randolph Churchill surprised his friends and delighted his enemies by suddenly resigning on the ground that the Government was in favour of large expenditure, whilst his own conscience told him that retrenchment was absolutely necessary. Salisbury hereupon offered to resign the premiership in favour of Lord Hartington, but the latter declined, and handed back "the poisoned chalice" to the descendant of the Cecils. It was at this time that an attempt was made at what was known as the "Round Table Conference" to re-cement the scattered portions of the Liberal party. Sir William Harcourt, Joseph Chamberlain, Lord Herschell,² George Trevelyan and John Morley laid their heads together to this end, and Chamberlain practically assented to the policy of Home Rule. Not long afterwards, however, the latter wrote to the *Baptist* in favour of Welsh disestablishment, but warned Welshmen that they, the Scotch crofters, and the English labourers would have to go without legislation because three million disaffected Irishmen barred the way. This—the "Round Table Conference"—was the last attempt to set the old Liberal party on its legs again and prevent the consolidation of the Unionists.

In 1887 the agrarian agitation that had slept for a while broke out again, instigated by the wirepullers of the National

¹ Appendix XCII, Portion of Report and evidence.

² Farrer Herschell, first Baron Herschell (1837-1889), created Lord Chancellor of England in Gladstone's Administration in 1886.

League. The rejection of Parnell's Tenant Relief Bill had infuriated them. Tenants were ordered to demand huge reductions of rent, and, on the refusal of the landlords to comply, to pay their rents into a so-called "war-chest," which was to be held by agents selected by the League in order to prevent compromise or backsliding on the part of the timid or conscientious. This "Plan of Campaign," which was started in *United Ireland* on October 23, 1886, principally by William O'Brien in collaboration with T. Harrington, Dillon and others, was armed with the old terrors. An interdict was placed on evicted farms, "land-grabbers" and "traitors" were terrorized into submission, and "boycotting," sharpened by long practice, fell like a two-edged sword upon any one who resisted the League's decrees. The Special Commission of 1888 reported that year that the "Plan of Campaign" and the system of boycotting, which they termed "an elaborate and all-pervading tyranny," found the Catholic priests among its warmest supporters and most industrious instigators, although both had been formerly condemned by the highest authority in the Catholic Church. The Land War of 1880-2 was thus renewed and prosecuted with even greater ingenuity than its predecessor throughout the years 1887, 1888 and 1889. Officials of the Government, juries, traders and landlords, all felt the weight of the League's hand, but the poorer classes, as had been the case in former contests, suffered the most severely. J. A. Froude wrote in his *English in Ireland*—

"(Ireland) is miserable because she is unruled. We might rule her, but we will not, lest our arrangements at home might be interfered with. We cannot keep a people chained to us to be perennially wretched because it is inconvenient to us to keep order among them . . . if we will neither rule Ireland nor allow the Irish to rule themselves, nature and fact may tell us, that whether we will or no, an experiment which has lasted for 700 years shall be tried no longer."

It is not remarkable that Froude was considered an untrustworthy historian by the rulers of Ireland. He should have been on his guard. They were the last people under heaven who cared to hear the whole truth about the matter. They liked to think that their system of Irish government was a model of long-suffering statesmanship, with faults perhaps, but with generous, manly faults. Oh, how deceived they were! Read, impartial peruser of these pages, what was said in Germany; for the Germans were harder-working and more cultured. Read what was said in France; for the French had keener wit and better manners. Read what was said in the United States; for the

Americans were harder-headed, more enterprising, and much richer. And when you have read what these nations had to say, sum up their opinions and strike a fair average, and you will then discover, with pain perhaps, but at least with certainty, what type of governors they considered the rulers of Ireland to be.

In view of this outbreak of renewed agitation, Arthur James Balfour, who had succeeded Hicks-Beach as Chief Secretary, proceeded to apply the "Crimes Act" to the disorders of the Irish nation. The Bill, which occupied forty-two days and was passed on June 10 on a motion by W. H. Smith by means of closure by compartments, removed the cognizance of that class of crime, which was most prevalent, from juries, which had almost ceased to perform their functions owing to intimidation, to the magistrates, and enabled the Irish Executive to put down those associations which it had proclaimed as dangerous, and, as had been enacted in 1882, to institute secret inquiries for the discovery of crime. It had first contained a clause that empowered the Crown in cases of murder or certain other aggravated offences to bring the prisoner over to England and try him before a Middlesex jury at the Old Bailey, but it was afterwards dropped. The new Act was to be henceforth the permanent law of Ireland, its provisions being brought into force at the will of the Executive. It soon proved to be a more successful gagging scheme than most former measures of the kind, and Gladstone and his followers, who had previously thrown in their lot with Parnell and fiercely resisted it, now gave way and had the grim satisfaction of seeing Ireland settle down into a state of comparative quiet. This was the history of the country decade after decade—"a quick alternation of kicks and kindness." This was the calendar of Irish misfortune year after year.¹

The suppression of the National League was soon effected under the new system of coercion, the conspiracy to extort reform being effectively stifled as in 1882-4. By 1895, thanks to the "quick alternation," it showed scarcely any sign of life at all.²

The same year that the National League was suppressed, the Government of Lord Salisbury laid their heads together and passed another Land Act for Ireland. Now, we venture to say

¹ As Macaulay said in 1845—"Ireland has remained, indeed, a part of our Empire. But you know her to be a source of weakness rather than strength. Her misery is a reproach to you. Her discontent doubles the danger of war."

² Gladstone said in Birmingham in 1888—"We have been, gentlemen, coercing Ireland ever since the Union; we have coerced it of late more than ever we coerced it before. At last we have ended it by making coercion for the first time the principle of the permanent law of Ireland. It was formerly an expedient, it has now become a policy, it has now become a practice, it has now become an idol."

that nothing is more extraordinary in the history of politics than the democratic saturnalia in which the landlords of England indulged during the last twenty years of the nineteenth century whenever Irish land was in question. Entrenched behind privilege at home, they felt they could safely throw a bone to the English working man in the shape of a knock-down blow to the Irish landlord. They knew that the Irish landlord could not retaliate; they had no fear that their Irish legislation would ever recoil upon their own heads, and, glad to have an opportunity of answering those who accused them of monopoly, with incredible meanness turned their own brothers in Ireland, who were unable to defend themselves, into their instruments of reply. In this manner had the Irish landlord, like the versatile Erasmus, fallen headforemost into a pot of pitch. Every hand was against him—Parliament, Land Commission, sub-Commissioners, valuers and occupiers, and—will posterity believe it?—his own landed brethren the other side of the Channel, not to speak of the successive Land Leagues and the poisonous growth of outrage and ruffianism that had spread its roots round the latter. But, though the two thieves had fallen out, honest men did not seem to fare much better. The landlords of England, however, wished to prove how easy it is for a man to desert his friend when it suits his convenience. They were eager to demonstrate that they were not quite so thick-headed as most people thought them; that they did not act upon religious principle or ingrained moral conviction in their social legislation for Ireland, but only from the most natural self-interest. Above all things they desired to make it clear what effect established power and great wealth have upon the heart, how unpolluted the sense of honour can be when taken care of in the school of vested interests. In fact, the landlords of England were anxious to show by their Irish anti-landlord policy what stuff they were really made of, and they succeeded.

By the Land Act of 1881, Gladstone, in his attempt to assimilate the system of land tenure in Ireland to that in England, had excluded existing leaseholders from the benefit of the "Three F's." The new measure, which was on the very lines of Parnell's Bill, which had been rejected by Salisbury's Government themselves, and the defeat of which had led to the Plan of Campaign and the new Coercion Act, was introduced on March 31, 1887, and we can imagine the respect which Parnell must have felt for the rulers of Ireland as he sat in the House watching his own defeated Bill being steered through its stages by its former rejectors. The measure was founded on the report of the Cowper Commission, which was presented in February, and which showed that the fall in prices and

restriction of credit by the banks had made payment of rent in many cases impossible. By the Bill all ordinary leaseholders could obtain the benefit afforded by the Act of 1881, and a middleman, whose rent from his own sub-tenants had been reduced below that due from himself to his landlord, was even enabled to evade his contract with the latter. Thus one of the principal objects of the Act of 1870 was thrown overboard. One of the aims of that measure had been to induce landlords to grant leases by giving them an assurance that in this manner they would escape the penal clauses of the new legislation ; but by the Act of 1887 they were caught in the net, leaseholders being brought within the purview of the Bill. Whilst by the Act of 1881 the improvements purchased under the Act of 1849 had been confiscated afresh, and the Parliamentary and other titles granted in the latter year were also destroyed, by the Act of 1887 the rents of Irish landlords, which had been reduced and guaranteed for fifteen years in 1881, were again, in spite of the statutory pledge of Parliament, once more altered, and the Land Commission was empowered to vary rents having regard to the difference in prices affecting agriculture. Now, when the Tithe Act was passed in 1838, transferring the tithe charge from the occupier of the soil to the owner, it was on the understanding that the latter would be able to meet the additional expense by raising his rent, but this rent was now arbitrarily reduced, and the control of it taken out of the landlords' hands. By other provisions of the Bill the process of eviction was modified in such a manner as to render more certain and at the same time less odious the vindication of a landlord's rights in certain directions, whilst the hardship of arrears was diminished. The restrictions also of the Act of 1881 with respect to sub-letting and sub-division were removed, and "town parks" were no longer to escape the punitive policy of the rest of the Bill.

The landlord of Ireland, in face of this legislation, had no need of a man to stand at his elbow and shout in his ear, *Lord, remember the Athenians!* The Act laid the heaviest hand upon those landlords who took a real interest in their estates and who spent large sums in draining and improving them. The lazy, slovenly farmer had his rent more reduced than the hard worker who by good management and strenuousness had maintained his farm at its full value. The landlords who probably suffered least from this legislation were those who simplified matters by the numerous wholesale evictions and clearances that followed on the heels of the great Famine, and after them those who had mercilessly wrung rack-rents from their tenants ; for, although these exorbitant rents

were more reduced than the low ones, having started at so high a figure, they often remained, even after diminution, a good deal higher than the others. The makeshift was treated by the leaders of the National League with the contempt that it deserved. It injured the landlords without benefiting the tenants, and, like its predecessor of 1881, had no effect in soothing an agitation which, like a deep-seated disease, had crept into the recesses of the Irish constitution.¹

On September 9, 1887, there occurred what was known as the Mitchelstown incident. A meeting of about six thousand persons was held at Mitchelstown in Cork County. A file of police tried to force their way to the platform in order to disperse the speakers, but failed. They then retired, and soon afterwards a larger body of police attempted to fight their way with clubbed rifles to the platform, but these failed also and at length took to their heels back to their barracks some 250 yards away. The police then proceeded, with or without orders, to fire from the barracks upon the mob. One old man, named Casey, was shot dead, and two others, Lonergan and Shinnock, were mortally wounded. The affair was soon afterwards brought before the House of Commons, where the Government took the whole police report for granted, and averred that the police were in no way to blame. The jury had returned a verdict of wilful murder against the chief police officer and five of his men, but this judgment was quashed on February 10, 1888, in the Queen's Bench, on the ground that the coroner had perpetrated certain irregularities of form. Instead of a fresh inquiry being instituted, however, a confidential departmental committee of policemen was appointed to privately examine, not why innocent persons had been shot down, but how it was that the police had run like hares before a mob. Other fatalities occurred elsewhere, and at Youghal, Fermoy, the town of Tipperary, and at Timoleague, four men were killed in encounters with the constabulary.

In June 1887 Gladstone commenced a political campaign in South Wales, and at Swansea declared his attitude on the question of inclusion or exclusion of Irish members in the English Legislature under a system of Home Rule. He said he had never considered exclusion a necessary condition of Home Rule, but had only demanded that no proposal for inclusion should be made a ground for impairing effective self-government in Ireland.

In 1888 the Special Commission that had been appointed to inquire into the nature, methods, and objects of the late agrarian

¹ Appendix XCIIA, extract from John Dillon's evidence before the Evicted Tenants' Commission.

conspiracy, presented its report. The Commissioners agreed among other things that the movement was "a conspiracy by a system of coercion and intimidation to promote an agrarian agitation against the payment of agricultural rents, for the purpose of impoverishing and expelling from the country the Irish landlords, who were styled 'the English garrison.'" They also stated that the leaders of the movement actively incited their followers to intimidation, which produced crime and outrage, and that they persisted in this policy with a clear foreknowledge of its effect. According to them the Catholic priest took a leading part in these conspiracies, an accusation which had already been made by Palmerston in 1847, and which Clarendon, the then Lord-Lieutenant, had rebutted.¹

It was out of this agrarian agitation that the celebrated Parnell trial sprang. The *Times* newspaper had alleged that Parnell and some of his followers did indeed occasionally denounce crime, but did so insincerely and with the object of leaving the impression upon their supporters that, although their lips spake against it, their hearts were in its favour. The principal proofs advanced in support of this accusation were the letters published in the *Times*, which excused and condoned the Phoenix Park murders, and the originals of which were stated to be in Parnell's handwriting. On March 17, 1887, the *Times* published the first of its series of contributions known as "Parnellism and Crime," and on April 18 the following letter appeared in facsimile—

"DEAR SIR,—I am not surprised at your friend's anger, but he and you should know that to denounce the murders was the only course open to us. To do that promptly was plainly our best policy. But you can tell him and all others concerned, that although I regret the accident of Lord F. Cavendish's death, I cannot refuse to admit that Burke got no worse than his deserts. You are at liberty to show him this, and others whom you can trust also, but let not my address be known. He can write to the House of Commons.—Yours very truly, CHAS. S. PARNELL."

The authenticity of this letter Parnell denied in Parliament, but his denial was received with coarse derision.¹ In November 1887 proceedings were instituted for libel against the *Times* by F. H. O'Donnell, who had formerly sat in Parliament as a follower of Parnell, for its articles on "Parnellism and Crime,"

¹ Lord Salisbury in speaking of the matter at the time said of Gladstone in the House of Lords—"You may go back to the beginning of British government, you may go back from decade to decade, and from leader to leader, but you will never find a man who has accepted a position in reference to an ally tainted with the strong presumption of conniving at assassination which has been accepted by Mr. Gladstone at the present time."

as having some reference to himself. The case came on for hearing on July 2, 1888, before Lord Chief Justice Coleridge¹ and a special London jury, the *Times* being defended by the principal law officer of the Crown, the Attorney-General, Sir Richard Webster, the defence being that the articles in question were substantially true, but did not refer to the plaintiff. The proceedings ended in a verdict against the plaintiff.

After the termination of the trial—*O'Donnell v. Walter*—Parnell gave notice on July 9, 1888, of a motion for a Select Committee of inquiry into the authenticity of the letters published in the *Times*. W. H. Smith,² the leader of the House, replied on behalf of the Government by refusing a Committee, but, on June 11, said that they were willing to institute a special commission to consist wholly or mainly of judges, with statutory power to inquire into "the allegations and charges made against members of Parliament by the defendants in the recent action." The Government wished to make the inquiry of the Commission unlimited, but this they could not get. The Bill was introduced after midnight on July 16, 1888, and passed the second reading on July 23, and the guillotine closure having been applied to terminate the debate upon it, it was then carried. This was the celebrated Parnell Commission. Sir James Hannen,³ president, Sir J. Day, and Sir A. L. Smith were appointed Commissioners, and the Commission, which was opened on September 17, 1888, held its first sitting in the Royal Courts of Justice, Probate Court No. 1, on the 22nd of October of the same year. The *Times* was represented by Sir Richard Webster, the Attorney-General, Sir Henry James, Murphy, and Graham, with John Atkinson and Ronan of the Irish Bar. Parnell engaged the services of George Lewis, and was defended by Sir Charles Russell, with H. H. Asquith, R. T. Reid, Frank Lockwood, Lionel Hart, Arthur O'Connor, and Arthur Russell of the London Bar, as well as T. Harrington, Secretary of the Irish National League. The Commission sat for 128 days, and rose for the last time on November 22, 1889. More than 450 witnesses were examined, and the questions put to witnesses were 98,000, while the verbatim report of the whole proceedings was contained in eleven folio volumes of some 8,000 pages. For the first forty-nine days the accusers dealt with the Irish or agrarian and American branch of the case

¹ Sir John Duke Coleridge, first Baron Coleridge (1820-1894), succeeded Lord Chief Justice Cockburn in 1880.

² William Henry Smith (1825-1894).

³ Sir James Hannen (1821-1894), appointed a Lord of Appeal in Ordinary, and granted the dignity of a baron for life in 1891 under the title of Baron Hannen of Burdock, co. Sussex.

in order to stave off the damning exposure of the Pigott forgeries, and it was only on the fiftieth day that the real business of the letters was entered upon.¹

The nine principal charges which were shown by the defendant's counsel before the Commission to have been levelled against Parnell and his lieutenants by the *Times* were the following—

That the Land Leaguers deliberately based their movement on a scheme of assassination and outrage.

That the leaders, by their speeches and those of their subordinates, directly incited the people to outrage, and took no step by speech or act to prevent, to stop, or to condemn the outrages.

That if at any time any of the leaders have verbally condemned or discouraged outrage and crime, their language was insincere and hypocritical.

That no other cause has been, or could be, suggested for the crime in Ireland from and after 1879 except the agitation of the Land League and the speeches of its leaders.

That the funds of the Land League were habitually used to pay for outrage, and were used to procure the escape from justice of criminals.

That at the time of the Kilmainham negotiations Parnell knew that Sheridan and Boyton had been organizing outrages in the West and in Leinster respectively, and therefore wished to use them to put down outrage.

That the Invincibles were a branch of the Land League, and were organized and paid by Egan, the treasurer of the Land League.

That Parnell, was intimate with the leading Invincibles; that he probably learned from them what they were about when he was released on parole in April 1882; that he recognized the Phoenix Park murders as their handiwork, and that knowing it to be theirs, and partly in fear for his own safety, he secretly qualified and revoked the condemnation which he had thought it politic to publicly pronounce.

That Parnell, on the 23rd of June 1883, by an opportune remittance enabled Frank Byrne, the secretary of the English branch of the Land League, known as the Land and Labour Branch of Great Britain, to escape from justice to France.

The evidence upon which the *Times* principally founded its case in regard to the connection between the Land League and the Invincible conspiracy was that of the informer Patrick

¹ Appendix XCIII, Sir Charles Russell's speech.

Delaney, who was nothing but a common perjurer, ready to steep himself in lies to the lips. His record, on his own confession, was characteristic of the agents and informers who had been employed to defame Parnell. He had undergone five years' penal servitude for highway robbery early in life. In 1881 he became an Invincible and undertook to assassinate Judge Lawson, but revealed his purpose and was sentenced to ten years' imprisonment. A few months afterwards the Invincible trials took place, and he was, on James Carey's evidence, sent to prison for life. Le Caron or Beach,¹ another informer, who had been a spy for twenty years in Braidwood, Joliet, and Chicago, also gave evidence in the matter, as well as a man called Farragher. Another informer was "Major Yellow," who had planned, but failed, to kidnap Captain McCafferty, whom he alleged to be No. 1 of the Invincible conspiracy. A fifth was John P. Hayes, and a sixth the secret agent Sinclair, as he called himself. The lies told by Delaney were so gross that they proved innocuous. For instance, Thomas Brennan of the Land League, whom he declared to have been one of the principal leaders in the Invincible conspiracy which culminated in the Phoenix Park in May 1882, was arrested on May 23, 1881, a whole year before the tragedy, and only released in June 1882, a month after it.

The case of the *Times* against Parnell, in particular, was principally built up upon the forgeries of Richard Pigott.² This wretched man had been the proprietor of *The Irishman* until 1881, when he sold it to Parnell, together with another paper which he owned, called *The Flag of Ireland*, in which he had attacked the Land League in order to raise money by intimidation. James Caulfield Houston, who had been formerly a newspaper reporter on the *Daily Express*, a Dublin organ, had been appointed secretary to the Loyal and Patriotic Union, which had been formed in Dublin in May 1885 for the purpose of doing battle with the Nationalist party. He had engaged Pigott's services for this job, and approached him with a view of obtaining incriminatory documents in respect to Parnell and the Land League. In 1885 Pigott was collecting materials for a pamphlet called *Parnellism Unmasked*, and Houston gave him £60 towards its publication. But this was not strong enough. Pigott was almost starving; Houston pressed him to obtain something that would

¹ Thomas Miller Beach, known as "Major Le Caron" (1841-1894).

² Richard Pigott (1828-1889). He had bought *The Irishman*, which had been originally called *The Ulsterman*, from P. S. Smyth, to whom it had been transferred before by Denis Holland.

damn Parnell. It did not matter what; he should be well paid; anything on earth would do, from whatever source, as long as the sink from which he drew it was foul enough. So Pigott forged. It was better to forge, he thought, than starve, with a family dependent upon him; and when he had fabricated the first lot of letters, he took them to Houston, and was paid £605 by that worthy, £500 for the letters, the sum demanded by Pigott's coadjutors, and £105 for himself. Houston, aware of Pigott's character, but scenting a little profit, promptly took the letters, to the *Times*. Towards the end of April 1886 Houston had called on the Editor and told him of the enterprise, but at that time the latter would have nothing to do with it. Houston paid the Editor another visit a little later and was referred by him to John Cameron Macdonald, the manager. In October 1886 Houston brought his letters to Macdonald, who said that they should be submitted to the legal advisers of the *Times*, and, if genuine, should be paid for, but he made no inquiry about them. Soames, the legal adviser, was next consulted. He also refrained from making any proper inquiry, but pronounced them genuine, and the *Times* paid handsomely for them and was prepared to pay for more. No masters ever had such a servant. Get more! of course he could get more, and soon returned with a second batch; but still his employers were unsatisfied. However, even Houston and Pigott had now reached the end of their tether. A third batch was, indeed, delivered in April 1888, upon the occasion of the trial of O'Donnell *v.* Walter which took place in July of that year, but it was unimportant and not published. Houston had not made a bad bargain with falsehood, the sums paid for these lies amounting altogether, according to Macdonald of the *Times*, to £1,780.¹

Was it not regrettable, to say the least of it, that so little trouble was taken to discover whether Pigott's letters were forgeries or no; how Houston had obtained them; how Pigott had come by them? Patrick Egan was the first man to suspect Pigott. The *Times* had published a letter purporting to have been written by Egan. In it the word "hesitancy" was spelt "hesitency," and Egan had in his possession letters of Pigott in which the word was thus wrongly spelt. On Wednesday,

¹ There was a ludicrous revelation in connection with the Parnell affair. The *Times* had had an agent in the United States, by name Kirby. P. S. Sheridan got hold of this gentleman and told him that he would sell his knowledge to the *Times* if the latter would buy his two ranches and 3,000 sheep for £25,000. Innumerable telegrams passed between the exulting Kirby and Soames, the legal adviser, and the *Times* was very nearly making the purchase, when it accidentally discovered that Sheridan was fooling them and had never meant to sell them anything but his ranch and sheep.

February 20, 1889, Pigott went into the box as a witness for the *Times*. His story there as to the manner in which he had obtained the first batch of letters was an egregious lie. He declared that he had got them in a room next a restaurant in Paris from a mysterious black bag that had belonged to Frank Byrne, who had been implicated in the "Invincible" conspiracy, and which he had left behind him when he started for America in 1883. That, before having access to the bag, he had gone over to New York on May 1, 1886, to obtain permission from a certain John Breslin to open it; that on his return to Paris he had, before extracting the documents, been sworn on his knees before six or seven individuals whom he did not know never to reveal in a Court of justice the source from which he had received the letters. This first batch of letters, for which Houston received a sum of nearly £2,000 from the *Times*, included a facsimile letter, three letters dated Tuesday, and one of the 9th of January 1882, beginning—"What are these fellows waiting for?"—all these five being Parnell's; and six other letters purporting to be Patrick Egan's, of the 18th of March 1881, the 8th and 11th of March 1882, Tuesday the 24th of February 1881, and the 10th of June 1881. The second batch had, according to Pigott, been obtained in much the same manner. The third batch included a forged letter of Davitt's and one of Kelly's, but, as we have already said, was not published. Russell then produced in Court some copies of letters written by Dr. Walsh, Archbishop of Dublin, to Pigott in 1887, in reply to communications from the latter, and Pigott had to confess that on March 4, 1887, three days before the appearance of the first article on "Parnellism and Crime," he wrote to Dr. Walsh, saying that "certain proceedings are in preparation with the object of destroying the influence of the Parnellite Party in Parliament," and asking the archbishop how it might be possible to warn the Irish leaders. This was proof positive that Pigott knew of the Houston plot. After having perjured himself in the box, Pigott then went on February 23, 1889, and made a clean breast of it to Henry Labouchere, the proprietor of *Truth*, in George Augustus Sala's presence, in Labouchere's house in Grosvenor Gardens. He confessed that his evidence had been a tissue of lies, and that the whole of the letters had been forged by himself. A copy of his confession was sent to George Lewis's office, but it was returned by Parnell's orders.¹

On the night of Monday, the 25th of February, Pigott crossed to France. He had no funds of his own and must have been supplied with money for the purpose. He remained in the *Hôtel des Deux Mondes* at Paris for a couple of hours only, and

¹ Appendix XCIV, Pigott's confession.

early on the morning of the 26th left for Madrid, where he put up at the *Hôtel des Ambassadeurs* under the name of "Roland Ponsonby." From this hotel he telegraphed to Shannon, a Dublin lawyer, for money. The telegram was intercepted by the police in England, and an order sent out for his arrest on an extradition warrant. On Friday afternoon, the 29th of February, a Spanish inspector called at the hotel to arrest him. His interpreter explained the nature of the visit, whereupon Pigott retired to his room and, determined not to face the disgrace and torture of a second examination, blew out his brains.

The accusation levelled against Parnell in regard to Patrick Byrne collapsed as completely as did the others. It proved that the £100, which the *Times* had alleged to have been sent by Parnell to Byrne to help the latter in his flight from the country, was a sum which the English branch of the Land League had regularly applied for, through Parnell, to the National League in Dublin, and which had been sent to them as the result of their application through the hands of Patrick Byrne, their secretary. The charge that Parnell, as head of the National League, had been directly engaged in inciting to outrage was also demolished. The Land and National Leagues were shown to have been quite separate from the secret Fenian organization, and the attempts by the latter at the various Conventions in America to obtain control of the Leagues were proved to have entirely failed. The only incriminating piece of evidence of any importance was what was known as the Horan cheque. Timothy Horan wrote a letter on the 11th of September 1882 to the Land League asking for money for certain individuals who had apparently suffered injuries in some fray. A cheque was made out to him and sent. It must be remembered, however, that at that time the League was in a state of the utmost disorganization. Several of its leaders were in prison, and the rest of them did not know of this transaction at all. Moreover, the Horan cheque was the only piece of evidence which Philips, the accountant employed by the League and a spy of the Government, was able to procure out of the enormous mass of documentary material at his disposal. Among much other evidence produced before the Parnell Commission, the following letter, written by Timothy Harrington, honorary secretary to the Central Branch of the National League in Dublin, to John O'Connor, secretary to a local branch, who had asked for certain funds, refuted the accusations of criminal incitement to outrage which were levelled against the League—

*"The Irish National League,
43, O'Connell Street, Upper Dublin,
5th February, 1886.*

"Mr. John O'Connor, Currow,
Scartaglen.

"DEAR SIR,

"At the last meeting of the organizing committee of the National League I laid before them your application on behalf of the evicted tenants, Mary Russell, Mary Butler, and Michael Riordan.

"I regret to say that the organizing committee found themselves compelled to refuse a grant, owing to the very disturbed and lawless state of the county of Kerry at the present time. The committee decided upon sending no grant to those districts where continual disturbance has been kept up. I do not wish you to understand that they believe the branch of the National League is in any way associated with lawless outrages, but they wish to save the general organization from even the suspicion of sending funds to places where outrages of this kind have been occurring, and they regard this step as necessary for the safety and character of the organization at the present time, and have directed me to communicate their views to the secretaries who have made application.

"Yours faithfully,

"T. HARRINGTON, Hon. Sec."

In this manner did practically the whole of the charges completely break down. The entire fabric of forged letters and false statements on oath fell to the ground, and never did an august tribunal witness a greater ruin of an elaborate structure of perjury, libel, and bribed and bribing villainy. The Commission presented its report to the Crown on February 13, 1890.¹ The findings were censure and acquittal. The censure included three points—(1) Seven of the respondents had joined the League with a view of separating Ireland from England; (2) Irish members incited to intimidation by speeches, knowing that intimidation led to crime; (3) The Irish members never placed themselves on the side of law and order, did not assist the administration, nor denounce the party of physical force.

Upon this acquittal on the charge of abetting crime Parnell became, with that inconsistency and emotional *volte face* which is so often ridiculed in foreign nations, one of the most popular men of the day. On March 8, 1889, there was a dinner of the Eighty Club at Willis's Rooms. Sir Frank Lockwood² presided, and Lord Spencer, Lord Rosebery, and Parnell were present. Parnell received a great ovation, and what Rosebery called "the historic handshake" took place across

¹ Appendix XCV, Judges' Report.

² Sir Frank Lockwood (1846-1897) succeeded Sir Robert Reid as Solicitor-General in 1894 in Lord Rosebery's Administration.

him between Spencer and Parnell. But, *breves et infaustos populi Romani amores*. Soon, certain proceedings in the Divorce Court, instituted against him by the friend who had negotiated the "Kilmainham Treaty," brought about the final eclipse of his influence. That fine Nonconformist conscience was at length aroused. The conscience that, up till now, had reared its forehead of brass without a pucker amid tales of Fenian excesses and the diabolical plots of agrarian leagues; that had shrunk from censuring and been foremost in condoning the sinister designs and brutal outrages of Irish conspirators; this wonderfully delicate and sensitive Nonconformist conscience now turned with a shudder from the sin of adultery, so foreign to its nature, so unheard of in its history, and, in a transport of pharisaical godliness, cursed the lost and unfashionable sinner. This holy horror was too much even for the rulers of Ireland. This incomparable hypocrisy that loathed adultery, but winked at murder; that shunned the frailty of an unlawful attachment, but rubbed itself with disgusting affection against the hirelings of every other sort of crime; this was too much even for the rulers of Ireland, and the worshipful conscience of the unstained Nonconformist rapidly became and has remained a proverb.

But Parnell was not only deserted by the Nonconformist party in Great Britain—that indeed might have been anticipated, for they were able thereby to smear their consciences with the grateful unguent of a little cant and profession; he was abandoned, also, apparently without any tinglings of remorse, by his own beloved Irish people, in whose behalf his intense and passionate nature had spent itself ungrudgingly during years of stress and conflict. The Irish separatists, however, by leaving him thus in the lurch, unwittingly dug the grave of their own aspirations. No men ever deserved their fate more fully, for however conscientious their religious scruples may have been, no crueller desertion of a great leader by his followers took place in any country or any age. Among the records of shortsighted ingratitude and narrow-minded betrayal it stands almost alone. For what was Parnell but the embodiment of Ireland's fierce hatred of her rulers? He was the razor-edged and ruthless sword that had shorn through the tough hide and searched the vitals of Ireland's enemies again and again, so that they writhed in their torment and grovelled on their knees. And the trusty weapon was now spurned aside in the fulness of its temper and strength, because, forsooth, when it was reposing in the intervals of the contest its owners grew ashamed of the dented and tarnished scabbard, being told by their friends that it was a disgrace to them. The cup must have been a bitter one for Parnell. Proud

as Lucifer and self-contained, he held himself aloof from his kind. He had devoted himself body and soul to the consuming passion of his life—his hatred of the Saxon. He had worked himself to the bone in the service of his party. He had been inflexible when they had wavered and faltered, and had cheered them on when they had almost abandoned hope; and then these men whom he had been burning himself out for, for whom he had all but conquered, turned and rent him. The rulers of Ireland could scarce contain themselves for delight. They skipped like school-boys in the lobbies of the House of Commons. That dreadful lambent flame that had lapped them round would no longer lick their cherished traditions until their self-love cried out in agony. No more studied insults would be heaped on John Bull in the sight of all England, in the very council-chamber where his idiosyncrasies and tastes had been immemorially treated with respect and his standard of right and wrong accepted without demur. He would no longer be brutally told to his face, with cutting emphasis and callous indifference to his feelings, that he was a fool and a hypocrite, and a fit subject for universal mockery and contempt. For more than ten years Parnell had exasperated the rulers of Ireland beyond what they could bear. He was the only enemy within the memory of those living who had ever had the courage to tell them to their beards, in their own holy of holies, what he thought of their civilization and national ideals, and it was neither good for their peace of mind nor their temper that he should continue to make them smart. It was, moreover, very bad for the entire population to hear these things. A deity cannot afford to be criticized when his devotees are looking on. He must be taken on faith, and to have a fellow always on the spot stripping off the various respectable accoutrements in which he is encased, and making a butt of the shortcomings and blemishes which are thereby disclosed, and which no one had heretofore had the audacity to suspect, is apt to plunge him into disrepute and somewhat shake the idolatry of his worshippers. This was why the votaries of a particular deity were so afraid of Charles Stewart Parnell, and so overjoyed to see his fall.

T. P. O'Connor was among those who went over to Gladstone's side, and a manifesto was published to that effect signed by all the American delegates except Harrington. The Nationalists believed that Gladstone would retire, if Parnell did not, and they felt they could not afford this alternative.

Parnell had been made a party in a suit for divorce by Captain O'Shea,¹ who had filed his petition on December 24,

¹ Parnell had supported O'Shea's candidature for Galway in 1886. Biggar and others had opposed it, putting forward Lynch instead. O'Shea got in, however, and

1889. On the 15th and 17th of November, 1890, the petition for divorce was heard before a London jury, and the Court granted a decree nisi for the separation of Captain and Mrs. O'Shea. On Tuesday, November 18, there was a meeting of the National League in Dublin presided over by John Redmond, and a resolution was carried pledging the meeting to stand by Parnell. Next day T. P. O'Connor, William O'Brien, and John Dillon, all three Members of Parliament, were interviewed, and strongly declared their allegiance to him, and the same day Labouchere took his part in *Truth*. On November 20 there was a large meeting of Irish Nationalists and Liberals in the Leinster Hall, Dublin, and a resolution was proposed by Justin McCarthy and carried, pledging the meeting to adhere to Parnell. There were four men, however, who at this time were very strongly against him and used all their influence to damage his position—the Reverend Hugh Price Hughes in the *Methodist Times*, Cook in the *Pall Mall Gazette*, Davitt in the *Labour World*, and Stead in the *Review of Reviews*. On November 21 the National Liberal Federation met at Sheffield, and, though nothing was said publicly, strong representations were made to John Morley, who attended the meeting, that the Nonconformists would insist on Parnell's resignation. Morley told Gladstone of this public feeling, and Sir William Harcourt, who had also been at Sheffield, supported Morley. So Gladstone determined to abandon Parnell. On November 24, 1890, he wrote the celebrated letter to Morley, announcing his political breach with Parnell on account of the public feeling which had been aroused by the divorce. He had intended that the contents of the letter should be communicated to the Parnellites, but while Morley was looking for Parnell to show him the letter, the Irish members met at 12.45 p.m. on Tuesday, November 25, in Committee Room 15, to elect a sessional chairman of the Nationalist Party, and Parnell was re-elected, in spite of the fact that both Parnell and Justin McCarthy knew of the letter by that time. Parnell resolutely refused to retire from his post, although Morley tried to persuade him to do so, arguing that if English opinion were set at defiance, it would be ruin to the cause of Home Rule at the General Election. Gladstone then caused his letter to Morley to be published. Parnell was now advised by several of his followers to retire for a time, but he obstinately refused. On November 26 the Irish party met again, and it was finally agreed to adjourn the

this friction had a bad effect upon the relations between Parnell and his followers. From 1881 to 1891 Parnell and Mrs. O'Shea lived as husband and wife. Captain O'Shea was the first witness to give evidence at the Commission as to the signatures of the forged letters, and swore that he believed they were in Parnell's handwriting.

meeting till December 1. On Friday night, November 28, Parnell summoned a number of his most intimate colleagues to meet him at Dr. Fitzgerald's quarters in Chester Place, near Victoria Station. He then read them a public letter which he said he was going to send to the press. Justin McCarthy said he disapproved of the manifesto; however, it appeared on Saturday morning in all the papers. It charged Gladstone with having revealed to him in December 1889 that in a future scheme of Home Rule the Irish members would be cut down from 103 to 32, that land was to be withdrawn from the competency of the Irish Legislature, and that the control of the Constabulary would be reserved to the Imperial authority for an indefinite period, although Ireland would have to find the money for the same. In fact, the English leaders meant, it said, to play Ireland false.¹

John Dillon and O'Brien telegraphed from America on November 30, 1890, deprecating Parnell's continued leadership of the party in face of the storm of prejudice in England; but still Parnell refused to abdicate. On December 2 a division was taken in Room 15 upon a motion made in Parnell's interest to postpone the discussion until they could ascertain the views of their Irish constituents, and then meet in Dublin; but Parnell was beaten on the morning of December 3 by forty-four to twenty-nine. He still, however, declined to retire. The same day (December 3) Clancy moved, "That the Whips of the party be instructed to obtain from Mr. Gladstone, Mr. John Morley, and Sir William Harcourt, definite information on the vital questions of the constabulary and the land." In Parnell's absence Clancy said that he had authority for stating that, if the assurances were given after the manner suggested in the resolution, Parnell would retire. Parnell then entered the room, and urged them to get what they could out of Gladstone, if he was to be sacrificed. They ought, he said, to make up their minds what the provisions of the next Home Rule Bill should be. Shortly afterwards the Irish delegates were received by Gladstone at 1, Carlton House Terrace, the residence of Mr. Rendel, and he gave them to understand that, when the time came for introducing a Home Rule Bill, they should be informed as to his intentions in the matter, and that he would not introduce a Bill that did not possess the unanimous approval of the Irish party. On December 6 the delegates gave an account in Room 15 of their interview with Gladstone, and Justin McCarthy rose and said that it was no use continuing the discussion, and that those of the same opinion might withdraw. He then withdrew, and forty-four of his colleagues followed him, leaving behind them a

¹ Appendix XCVI, Parnell's Manifesto.

minority of twenty-six. Gladstone had thus triumphed over Parnell. The majority, who considered that Parnell's abdication was necessary, proceeded to organize the National Federation under Justin McCarthy's¹ leadership, with John Muldoon as acting secretary, in lieu of the National League which had been founded in October 1882 and now became identified with those who still adhered to Parnell's chieftainship.

Towards the end of 1890 (December) what were known as the Boulogne negotiations took place between Parnell and O'Brien. Parnell said he would accept O'Brien's chairmanship of the National League, but not that of Dillon. He finally, however, consented to Dillon's chairmanship. Parnell then went to Calais and met both of them, but Dillon managed to irritate Parnell, and added to the difficulties of the situation by proposing that he (Dillon) should have a voice in the distribution of what were known as the Paris funds, which were held by three trustees, of whom Parnell was one. It had been agreed that any two of the trustees might draw upon the funds, provided Parnell was one of them. Dillon now wanted to be able to draw without Parnell's intervention. The negotiations were thus abortive, and on Dillon's and O'Brien's return to England they were arrested and remained for several months in Galway Jail. When they finally emerged, they declared against Parnell. But the negotiations had not been wholly without use. They had elicited two assurances from the Liberal leaders: (1) That the land question should either be settled by the Imperial Parliament simultaneously with the establishment of Home Rule, or the power to deal with it should be given to the Parliament at Dublin; and (2) That the Irish Constabulary should be converted by degrees, within a period not to exceed five years, into a purely civil force under the complete control of the Irish Parliament. These assurances were the price paid by the Liberals for the split between Parnell and his old followers, O'Brien and Dillon. Parnell had shown considerable cleverness in planning the negotiations, for they resulted in the separation of Dillon and O'Brien from T. M. Healy, and made it appear that O'Brien was friendly to Parnell, so that when O'Brien eventually turned against Parnell on his release from prison, he incurred a good deal of odium in consequence. In June 1891 Parnell had married Mrs. O'Shea, and Gray² of the *Freeman's Journal* took the opportunity of withdrawing his support on the ground that the marriage was against the law of the Catholic Church. Parnell hereupon founded a new morning paper, *The Irish Daily*

¹ Justin McCarthy relinquished the leadership of the National Federation in 1896, and was succeeded by John Dillon.

² Edmund Dwyer Gray (1844-1888).

Independent, and still continued to travel about the country urging his followers not to lose heart. But the game was up; he was beaten; and from having wielded a power in and outside Parliament before which Ministers quailed and Irishmen bent the knee, he sank, within a few months, dishonoured and disregarded into the grave.¹

Parnell was able to lead the Irish because he was not an Irishman himself. Every striking quality he had was, on the contrary, characteristic of the English race, and the distinguishing features of the Irish character he was wholly without. The Irishman is witty, humorous, unstable as water, hot-headed, impatient, eloquent, imaginative, and undependable. Parnell had not a trace of humour. He was cold, reserved, haughty, and calculating, with a will of steel and an inexhaustible patience. He hated the English Parliament and its tone and traditions with an intense and bitter hatred, and he knew there was only one way to put Irish views before English members and obtain for Ireland what she wanted. Parliament would not listen to Irish grievances, unless forced to do so. How was she to be forced to do so? Only by uncompromising and unremitting importunity; only by showing that if Irish members were not listened to, no other business could be transacted. This was the aim and this the conviction with which Charles Stewart Parnell set out. He almost accomplished the end he had in view. He came within an ace of it. But for Mrs. O'Shea there probably would be a Parliament to-day sitting in College Green. The rulers of Ireland would have turned their back upon political principle without a blush. They would have surrendered without a twinge a portion of the kingdom into the hands of those whom they believed to be no better than assassins, and have coolly shaped their views of patriotism to suit the allurements of office. But they could not bring themselves to face the accusation of their supporters in the country, that the man chosen to help them carry out their noble and disinterested task was the friend of a woman taken in adultery.

Parnell was convinced that the rulers of Ireland could be subdued; that they overrated their own tenacity and underrated his power; but he knew also that he must have a solid phalanx at his back, entirely independent of the rest of the House of Commons and with his one object only in view. This party he collected round him by mere force of his personality. He led, because he hated more than they did. He led, by proving that

¹ Parnell died at Brighton about midnight, on Tuesday, October 6, 1891. He was born in 1846, and was sixteen years in Parliament. Curiously enough, W. H. Smith, the author of the Act which created the Special Commission, died on the same date, and was succeeded in the leadership of the House of Commons by Arthur Balfour, who resigned the Chief Secretaryship.

he at any rate was not to be conciliated by soft words, and by showing how indifferent he was to unpopularity and abuse, and how impervious to the lash of criticism. Parnell was a man of adamant. He outraged English public opinion deliberately and by method. He obstructed public business until English members could scarcely control their fury, and he shrank from nothing outside treason felony. Herein lay his power. He was a leader of men and a Parliamentary tactician of the first order. He knew how far he could go, and when others relaxed their hostility, he dared to hold on. He had only one idea, and a man cannot but succeed if he keeps his one idea before him, if he is calmly indifferent to opposition and temporary failure, and is always bending his course towards a predetermined goal. Few men have the will, but where they have the will they always have the ability, and their object never fails of attainment unless counteracting causes arise outside the power of human control.

O'Connell had his prototypes, so had Gladstone, and they will no doubt have their successors also; but Parnell was a unique personality. Benjamin Disraeli and Charles Stewart Parnell were, in their several ways, the most remarkable figures on the stage of the nineteenth century. They stand aloof from other men not so much in stature as in kind. Pitt and Peel, O'Connell and Gladstone are taller and larger than any of their contemporaries. Their intellectual dimensions are greater. They are giants, and most of their contemporaries are pygmies. Disraeli and Parnell, on the other hand, are not even formed out of the same bone and muscle, and cannot therefore be judged by the same standard. They did not mix with their age, although they led it, each in his own sphere. They led, and no man understood them. They were beloved, and most of their followers feared them. They were trusted as a dog trusts his masters, and the affection shown them was of the canine sort. There was no real community of nature between the leaders and the led, and only as much sympathy as was necessary to bind them together for a common cause. In fact, it was necessity alone that preserved the ascendancy of Beaconsfield and Parnell. Genius is not found on every stool, and genius was indispensable if their followers desired victory. Directly its utility began to be overshadowed in the one case, its owner was dispensed with. Parnell will always be hated and admired by Englishmen, because he showed his contempt for them. He will always maintain a great place in English history, for he only escaped changing the course of it by a hair's breadth. More he could not expect, for he failed in his ultimate endeavour.

In 1890 the Salisbury Government passed a Land Purchase

Act for Ireland in order to still further give effect to their policy and encourage the system of tenant ownership. Two years before, in 1888, they had passed a Land Act increasing the grant placed at the disposal of the Land Commission to £10,000,000. The new measure dealt with the land question on the lines of the Ashbourne Act of 1885, but on a more extensive scale. A sum of thirty-three millions sterling was made available to enable holdings to be bought by tenant farmers, and it was secured not only by terminable annuities payable by purchasers in the shape of four per cent. on the sum advanced until the loan was liquidated, as well as by the guarantees on the part of selling landlords provided by the previous Acts, but—and this policy of using education as a convenient sponge could not fail to be unpopular—by charges on Imperial grants to Ireland, namely, those for the National Schools and Lunatic Asylums, and ultimately on the Irish counties. But the number of landlords willing to sell was comparatively small, and the whole amount advanced by the State in this manner did not largely exceed ten millions by the year 1901, or about a quarter of the available sum.

In 1891 the Congested Districts Board was created by Arthur Balfour for the purpose of improving and developing the miserably poor parts of the west and south-west of Ireland. Congested districts were those where the holdings of more than twenty per cent. of the population of a county were of less than 30s. rateable value. The income of the Board, amounting to over £200,000 a year,¹ was to be employed in giving assistance to small occupiers who wished to migrate or emigrate, and in providing seed, potatoes, and oats. Its energies were to be particularly directed to the development of agriculture and forestry; the breeding of live stock and poultry; the weaving and spinning industries; the construction of piers and harbours; and the supply of fishing boats and gear. Another Land Act on much the same principles as the former one was also passed this year. The middleman, as we have seen, was afforded a loophole under the Act of 1887 through which to creep out of his contract in certain cases and evade the payment of rent to his superior landlord. The greater part of these middlemen held at this time by perpetual leases, which as a rule had long ago been converted into estates in fee farm, that is, estates in fee subject to a perpetual rent. The Act of 1891 gave them still further advantages, and provided that, wherever they were in *bona fide* occupation, and paying in the opinion of the Land

¹ The Irish Church Surplus contributed £41,250. Under the Act of 1899 it acquired an additional income of £25,000, and under the Land Act of 1903 another £20,000.

Commission "a full agricultural rent," they might either demand from the landlords a redemption of the rent at a price to be determined by the Commission, or, in the event of the landlords' refusal, have "fair rents" fixed by that tribunal as in the case of ordinary farming tenants. The Act, therefore, which thus gratuitously favoured middlemen, a race of robbers that had almost vanished, but still numbered a few hundred, practically left the superior landlord but two alternatives—either to accept a redemption price determined by a Court over which he had no control, and in whose judgment he had little faith, in lieu of a rent which in all probability was well secured; or submit to the fixing of a "fair rent," which was not to include the improvements made by the tenant. The scheme was to be administered by a body of nominated and unpaid members. The Chief Secretary for the time being was to be the Chairman of the Board, and among the other members were Dr. O'Donnell, Catholic Bishop of Raphoe, the Reverend D. O'Hara, of Mayo, and Horace Plunkett.¹

In 1892 Arthur Balfour introduced a Local Government Bill for Ireland, but it was dropped. T. M. Healy dubbed it "The Put-'em-in-the-Dock Bill," for on the petition of any twenty ratepayers a whole council accused of delinquencies could be tried by two judges and disbanded, the Lord-Lieutenant having power to nominate a body of successors independent of election.

On February 13, 1893, Gladstone introduced his second Home Rule Bill, which had been prepared by a Committee of the Cabinet, composed of Gladstone, Lords Spencer and Herschell, Sir Henry Campbell-Bannerman, James Bryce, and John Morley. Parnell's old party had for some time been split into two opposed factions, and at the General Election in 1892 the Catholic priesthood exercised its potent influence in favour of the anti-Parnellite section, which consequently won an easy victory at the polls and returned more than eighty Home Rulers to Parliament. Gladstone, who now succeeded Salisbury as Prime Minister for the fourth time, shortly afterwards laid his proposals before the House. The new measure had the artificial support of the "log-rolling" system. The Newcastle programme was published, and the question of Home Rule dexterously associated with projects for Disestablishing the Churches of England and Wales, weakening the House of Lords, enforcing temperance by the Local Veto, extending the suffrage, and raising also the labourer's status. It was likewise connected with certain questions of taxation, and was, in fact, linked to a series of English Radical cries. Like its predecessor it did not in terms repeal the Union, although of course both Bills virtually

¹ Appendix XCVII, further history of the Board.

involved its dissolution. An Irish Parliament was to be created, but to be a much smaller body than that proposed in 1886. There was to be a Legislative Council analogous to the First Order, but composed of only forty-eight members with a rating qualification of twenty pounds, the Irish peerage being excluded ; and a Legislative Assembly corresponding to the Second Order, which was to be elected on the ordinary franchise which qualified for the choice of a member of Parliament, but consisting only of one hundred and three members—the existing number of Irish representatives in the British House of Commons ; whilst, like the proposed Second Order of 1886, it was to command a majority that would make it supreme. The Legislative Council and Assembly were generally to sit apart ; but the Legislative Council, like the proposed First Order of 1886, was to have a temporary veto on the acts of the larger Assembly. The legislative powers of the new Irish Parliament, as in the case of that of 1886, were to be greatly restricted in regard to Imperial and Irish affairs. It was to be unable to impose customs and excise, and was to be subject to the same veto and to nearly the same control of the English Privy Council as its rejected predecessor. But, like the latter, it was to be invested with the government of Ireland, and an Irish Executive dependent on it was to have the entire administration of the country in its hands. In view of the opposition offered in 1886 to the proposed “tribute” to the British Exchequer, those clauses were now dropped. No Receiver-General was to grow fat upon Irish revenue, nor was Ireland required to make any direct contribution to the general expenditure of the Empire, but her Customs were to be appropriated to defray any Imperial charge she might justly be expected to pay, and this was calculated at a sum of about two and a half millions, with a temporary addition of about another million, a much smaller amount than the proposed “tribute” of 1886. By far the most important part of the Bill, however, were the clauses which provided for the representation of Ireland in the Imperial Parliament. Under the Bill of 1886 Irish Representatives had been entirely excluded from the House of Commons, under the new Bill eighty Irish members were to have the privilege of admittance to the Imperial counsels. They were not, indeed, to vote upon purely British questions, but only upon Irish questions or those of an Imperial character. Another feature which differentiated the proposed reform from that of 1886, was that no supplemental measure was to be tacked on to it for buying out Irish landlords through the agency of the State.

The industrial population of Ulster, among many others, showed great opposition to the Bill, and Gladstone received a

deputation from the Belfast Chamber of Commerce in the spring of 1893. They urged that the members of the deputation had lost thousands of pounds owing to the fall in Irish stocks, consequent upon the introduction of the measure. The real reason of Ulster's opposition, however, was that the manufacturers feared that the commerce of the country would be at the mercy of a majority which would be ignorant of the science of government and unconcerned about the interests which they had at heart. In view of the antagonism shown to the Bill, closure by compartments was moved after it had been in Committee for twenty-eight days. Before it passed the Commons, several important changes were effected in it. The financial arrangements were abandoned, and the impracticable "in-and-out" project of the non-voting of the Irish members on purely British questions was also relinquished. Eighty Irish members were to be admitted as before to St. Stephens, but they were not to be allowed to vote indiscriminately on all questions, Imperial, British, and Irish alike. "Log-rolling" and "closure by compartments" pulled the Bill through the Commons by the scruff of its neck, namely, by thirty-four votes; but it was publicly burnt in the City, and then kicked out of the Lords, Rosebery inviting the Opposition to "cut it into shreds."¹ Soon afterwards Gladstone, wearied with the burden of four-score years and chagrined by the collapse of his cherished scheme, resigned, and Rosebery succeeded to the leadership of a weak and discredited party, with John Morley as his Chief Secretary in Ireland. The rejection of the second Home Rule Bill, as had been the case with the first, scarcely raised the dust of Irish disappointment, and, as for England, every one was relieved that what was called the "absurd piece of infamy" had been trodden in the mud.²

Gladstone's principal weakness, during his later years, lay in his disregard of the value of rumination. He never settled himself in his arm-chair to ponder on the problem of humanity. Everything he did was done in a hurry. He was always either devouring print by the yard, declaiming from a public platform, or writing controversial letters to the press. When not engaged in these occupations, he was certain to be found taking some violent physical exercise, either panting up the stony sides of a steep hill, or hewing down some tough-grained piece of timber in one of the parks of the aristocracy, which may have prolonged

¹ The Committee stage of the Bill lasted for 63 sittings, and the whole proceedings occupied 82 sittings. The Bill passed its second reading by 347 to 304, and its third by 301 to 267. The Lords threw it out by 419 to 41. It was estimated that exclusive of the Irish there was a majority of 23 in the Commons against it.

² Appendix XCVIII, quotations from Lord Macaulay, Lord Shelburne, and W. E. Gladstone.

his life and preserved the exceptional vigour of his constitution but left him no leisure for meditation and precluded any connected system of thought. His life, in fact, as an old man, was one of uninterrupted unrest, and this feverish and sleepless activity, which at length almost amounted to a disease, sapped his judgment and distracted his intelligence. In all probability he never surrendered himself to half-a-day's quiet meditation during the whole of the last twenty years of his tumultuous career, and how greatly the State might have benefited had he more frequently done so may be measured by the incontestable value of several of the reforms which he conceived and effected in middle age. As it was, everything was transacted at white heat and high pressure. It was not only his mission to work for his country, but it was his peculiar privilege to sweat for it as well. If some fundamental change had to be made in the Constitution, either through the exigencies of party or for the sake of popularity, a case for reform was immediately fagged-up, and habited in all the pomp of moral duty. Everything was swallowed that had been published on the subject, and therefore very little was digested. Every person of experience who was an authority was interviewed and harangued. The arguments that suited his purpose were greedily absorbed into his system, whilst those which failed to pass that test merely remained outside. He was on the search for a brick to fit into a coping, and as long as the size and colour of it were correct, it mattered not in the least that the foundations were quaking and the walls unsafe. The pulse of the populace was also felt at fifty public meetings; and then, armed to the teeth with every conceivable argument that might cajole or convince, he would leap to his feet in the House of Commons and speak from his brief with all the subtlety of a mediæval casuist and the fervour of John Knox. It had been necessary to construct a moral case for reform, and the architect had fallen in love with the fabric. The whole machinery of his portentous vitality had been concentrated on the labour of it, and it was not surprising, on the contrary it was but human, that having waded through the vast toil of preparation and roused popular audiences to a state of mind bordering upon frenzy, he should have worked himself into the belief that the measure, which had been originally suggested by party expediency, was the commencement of a new era and the dawn of salvation for his fellow-men. But a great thinker goes about the business somewhat differently. The philosopher and sagacious statesman, the shaper of a nation's destinies, does not feel inclined to produce his most important work in a state of perspiration. In the government of men contemplation is not only salutary, it is imperative, if reforms

are to be efficacious and social development sustained. It was Gladstone's dread of solitude and silence in his old age ; it was his secret fear of public neglect and forgetfulness that kept him always shouting. As long as he was making so much noise, he knew no one else could get a word in edgeways. A period of repose might spell eclipse, and his own constellation be obscured by one more lustrous or more novel than his own. It is possible that he was right, after all. He knew the limitations of his own powers best. It is possible that, great man though he was, he was not quite great enough to give more time to silent thought and yet retain his hold on the imagination of the people. His services to the nation, though brilliant and conspicuous, were perhaps not of that order of supreme moment and enduring result that he could afford to withdraw himself occasionally from the public eye.

As for his speeches on Home Rule, who will read any one of them twenty years hence ? They are windy, diffuse, and incorrigibly redundant. They were intended merely for the hour, and it would be unfair to criticize them as though they had been meant for all time. A speech by Gladstone during this period was like a conflagration. Men came to gaze and go away wondering. The huge firework displays in different parts of the country dazzled the yokel and riveted the attention of city clerks, but when they had died down, and the cold light of day revealed the framework and cheap scaffolding which had been used in their production, the artificiality of the night before was apparent, and it was found that, in spite of sustained and intricate reasoning, nothing solid or worthy of preservation had been left behind. The blaze was magnificent, the splendour of the pyrotechnics unexampled. Who else could explode such bombs or fire so many multi-coloured rockets ? But, lo and behold, they had burst in space and not a trace of them remained ! The matchless voice, the unrivalled copiousness of language, the glittering prestige of the famous old man, the eagle eye and pale, passionate face intoxicated his audiences and roused them to a pitch of excitement and enthusiasm rarely before witnessed in a phlegmatic people. But in the morning they discovered they had carried nothing home with them, because, in truth, there had been nothing to carry away. The magic of his presence, the torrential outpouring of words, the stores of lofty sentiment, and the inexhaustible stream of inundating argument, all marshalled and directed with the consummate skill of the practised orator, had mesmerized their judgments and confounded criticism ; but when the fibres of their being had once more become relaxed, when they were no longer under the spell of his personality or within the range of his eye, the entertain-

ment was perceived in the cool light of reason to have been mere sound and fury.

It is difficult to approach this all-important question—the question of the relations between England and Ireland—without passion. On the one side we have a country great in the number of its people, in the vast accumulation of its wealth, in its ever progressive prosperity, and in the power that it possesses for good or evil in almost every quarter of the globe. On the other we see a smaller country, more ancient in its civilization, the pioneer of Christianity in Europe, and abundantly fertile in its many natural resources. But behold the difference!—a country with a population that has shrunk by one-half during the last fifty years, and is still shrinking, whose rich men are paupers and whose paupers even are a by-word, whose prosperity too, like its population, is on a gradual but sure decline, and whose power for good or evil has vanished long ago. This is Ireland—this is the country whose rulers deem they have governed wisely, whose people, basking upon the green banks of their native streams, are expected to be contented with their lot. Oh! the vanity, the obtuseness, the vulgar conceit of so supposing. No, my masters, it will be a long while before you will be able to understand, much less govern Ireland, for it will take you a considerable time to know even yourselves. Before you can presume to govern Ireland, you must humble yourselves and desperately feel the poignancy of your own failure. The conceit must be shaken from you like dust from an old garment before you can be aware in the most remote degree of the methods upon which Ireland can alone be rendered a sound, self-respecting portion of the British Empire.

What a weakness it is in any man that he cannot measure his own backslidings, that his senses are dulled and blunted to the errors of his life, that his little spirit is touched to the quick when criticism probes the joints of his armour. A slave is better than such a man. A slave is a nobler image of God than such as he, for a slave may possess a soul and a mind unfettered by self-love, and a conscience not hebetated nor hardened by revolt, while such a man is chained to his prejudice and ignorance and is afraid to bend his pride to his reason. The longer this tyranny of self-love continues, the meaner does he become, until he at last swells into an uncontrolled, fretful, petty tyrant, and suppresses every opinion that chances to hurtle against himself. Honesty is banished, charity is trodden under in the crowd of meaner interests that struggle to the front, and virility, the first quality in a man, the first in a nation, is stifled in the press.

Now this is rapidly becoming the case with the rulers of

Ireland. Public opinion with them is the lord that rules all private conduct. Hardly a man dare put his back to the wall and boldly face it; but we are inclined to think that they who have dared this, cut a better figure before their posterity for the qualities that are supposed to be characteristic of the British race than those who now timorously and servilely wait upon public prejudice, and praise what are the unmistakable symptoms of national decline. The rulers of Ireland are on the decline, there is not a doubt of it. Deterioration is visible in every class, decadence is written for those who can read in every feature of their character. Look at their Literature and their Art; survey their Legislature and Religion, and say whether there was not more strength, more virility, more genius in them 100 or 150 years ago. Would Charles James Fox be listened to with rapture now? No, his private conduct might be called in question by the nice honour of 1907, if he dared to preach about liberty. Would Edmund Burke be read with the same eagerness now? Can you conceive a Hogarth painting the vices of his age now? We think not. No, we live in an age where money is more serviceable than character, and mediocrity than genius; where a fair imitative capacity is more valued than originality, and where criticism to be marketable must not be too searching, but cut and dried, and served like some recognized dish to the consumer. This is hardly the spirit in which Ireland's governors can successfully rule her. To do this, they must sweep away their modern conventionalities and dread of public opinion as such. They must discontinue their prostration before the idol of self-love, and contemplate themselves in the glass and see how very coarse-featured they have grown before they dare turn their faces to Ireland to be smiled upon.

They will have to prove to Ireland that they possess a soul, as well as a great deal of money. They must prove to her that they have a bounden sense of their duties and responsibilities towards her; that their legislation is not framed by money-lenders, but by brothers; that it is not inspired by interest, but by affection. For surely an Irishman has a right to deem himself as good and honourable as any of his rulers. They have both fought shoulder to shoulder in a hundred wars, and the Irishman has not dealt the weaker blows. Wellington was an Irishman. Orators, men of letters, statesmen, philosophers have issued from the womb of Ireland and not disgraced themselves upon the stage. Burke, Swift, Berkeley—where could you look for greater names? Ireland's rulers have no cause to be ashamed of this kinship, though they have reason to beat their brows, and shed bitter tears over their lamentable incapacity to turn it to account. What a result might not by

this time have been attained had Ireland been treated with the chivalry, the generosity, the manly sense of fairplay which a weaker partner may expect from a stronger? What resources might not by this time have been accumulated in Ireland, in her manufactures, her wealth, her population, her spirit of loyalty, her incomparable Celtic genius, had justice and sympathy watched over her welfare in lieu of interested passion? Is it too late to heal the sufferer, to pour a little balm into the wounds, and administer a little nourishment to the emaciated frame? It is indeed too late, if her governors have not the soul for the work, if they still consider their interest before their duty, and affection, and honour. But it is not too late, it is never too late, while the means and the subject are still within reach, if with bitter self-reproach at the shortcomings of five hundred years they go to meet Ireland with tears in their eyes and a tender smile upon their faces, and with their arms wide open to atone for the past.

A feeling of bitterness rises in the author as he writes these words! In the life of man there dwells a constitutional uneasiness. What a toil the world is for him, and so little for it, if he does not delight in duty—a few days' happiness, at the most, crushed down and overwhelmed with perhaps fifty years of chagrin and disappointment. So is it with nations. What a toil and so little for it, if they do not delight in duty. Some day the might of the rulers of Ireland will crumble in the dust. Other empires will arise and raise their pomp and magnificence and grandeur upon their ruins; the very memory of their dominion will pass away, and what good will they have reaped, shorn of their splendour and life, forgotten by men, known only by a few mouldering documents, unless during the time of their pride and power they delighted to do their duty? How we wish that those rulers could without delay perceive where their weakness lies and in what their disgrace consists. The rest of the world sees it plainly enough. Want of character, want of fibre, therein lies their disease. It is the false ignorant sentimentalism that has crept into the place of honest, silent labour during the last half century, and more rapidly, more particularly, during the last quarter of a century, that is loosening the cords of their vigour. It is possible to be earnest without being strident, to labour without noise, to do one's duty without shouting it in a neighbour's ear, to love one's country without the aggressive clamour of a spurious and maudlin patriotism. All this is possible when there is a little sound health in the body politic and a little genuine manhood in rulers, but impossible when their scrutiny is exclusively fastened upon the contour of their external parts and their appearance in

the sight of other men, whilst their vitals are withering from ignorance and neglect.

It is not by one statute or fifty statutes that Ireland's governors can hope to do their duty by her. If the spirit is wanting, their statutes will issue from them still-born. If the spirit is wanting, if they have no soul for the work, no sense of their insufficiency in the past, no remorse, no craving to atone, no love, then their statutes will be of as much use as strips of old parchment with undecipherable lettering blurred and dimmed by age. But if the spirit of love for this benighted Ireland is in them, then any statute, however drawn, will work a remedy. Like a grain of mustard seed it will spread over the entire land.

EPILOGUE

IT is supposed to be the mark of a statesman to be able to construct where others are only able to destroy. It is supposed to be the mark of a historian, who is worthy of the name, not only to be able to record and criticize the course of human activity in the past, but by the light of that experience to furnish philosophical matter for fruitful meditation in the future. In regard to Ireland, who would be so venturesome as to try to picture to himself, or so doubly bold as to hazard his reputation by suggesting to his readers a cut-and-dried and unalterable scheme of government for the sister isle? The author of this book is afflicted with more than one weakness of the flesh and of the spirit, but is resolved not to fall into that disgrace. No such scheme is worth contemplating, because, with the lapse of years and the progress of the world's drama, the wheel of Time must of necessity bring with it altered conditions and a different standpoint. What, however, can be done with modesty and circumspection, is to offer certain temperate considerations which are founded on the broad bottom of experience and probability. There are several considerations in the present case, the results of which, if worked out sagaciously, would undoubtedly have the effect of rendering the government of Ireland a more congenial and certainly a more honourable function than it is to-day.

There is a prodigious amount of spare cash in Great Britain and not a little enterprise, which have been sometimes known to squander themselves upon projects not altogether remunerative or wise. Were they turned to account, and a company encouraged by the State to tunnel the Irish Channel, in a short period the profits would be so great that the law of competition would be undermining in some other direction the silver streak of sea which separates the two islands.¹ Englishmen would pour into the green valleys and upon the green slopes of Ireland in their hundreds of thousands for pleasure and for business, and Irishmen would visit the towns and workshops of England for the same reasons. The two streams of population would, within a few years, bind England and Ireland together with links of steel, those bands of common interest and affection which prove far stronger and more durable than the artificial fetters of legislative

¹ The distance from Port Patrick to Donaghadee is about 22 miles and from the Mull of Cantyre to Benmore or Fair Head about 13.

enactments. The ignorant, priest-governed Celtic peasant would at last rub shoulders with the artisan of the Midlands, the London tradesman, and the Englishman in the street; and thousands of the lower and middle classes of Great Britain would in their turn penetrate into the inmost recesses of Irish life and manners, and comprehend for the first time in the history of the two countries the feelings and relations that exist between the Orangeman and the Catholic and between the landlord and the Irish tenant. The habits, the idiosyncrasies, the points of view of each would become reciprocally known. The two races would blend and intermarry vastly more than they do at present. Historical prejudices would gradually disappear and be forgotten. Mutual intercourse would take the edge off the weapon of the noisy agitator. Industries bringing their experts with them would find their way from one land to the other, and the very idea of two separate or discordant nationalities would become fainter and fainter with each succeeding age. In fact, the charm and the interest, the resources and the possibilities possessed by both countries would be appreciated by both peoples, and more, infinitely more, would be accomplished in this manner towards a final settlement of the Irish question than anything which has been effected or imagined for a hundred years.

There are several other considerations, only second in importance to the one already dealt with. Of what advantage are the Irish Viceroyalty and Dublin Castle? They are not even picturesque, and they are very costly. They are merely relics and symbols of a hated and discreditable past, and whenever the Celt thinks of the one and sees the other, the vision of struggle and persecution floats before his blue eyes and burns their memory deep into his brain. Divest Ireland of her Lord-Lieutenant and his Chief Secretary. Rid her of all the useless and expensive paraphernalia of a Chief Governor. In their place substitute a Secretary for Ireland, as there is already one for Scotland. Make it a hard and fast rule that he be always a Celt, who has dwelt for a good portion of his life among his countrymen and thoroughly understands them, and this reform again would do more to grease the wheels of Irish administration and mollify the bitter spirit of opposition which is so easily fanned into flame by party adventurers than ten decades of sympathetic speeches.

There might also be a Parliamentary Committee sitting at Westminster, composed of the members representing Irish constituencies. This body could deal with private bill legislation, and such matters as Parliament would from time to time delegate to it. It would be inadvisable to attempt to define here the exact powers of such a body, but it would not be

beyond the wit of man to devise a scheme of this nature which would remove from the cockpit of party conflict and the over-weighted shoulders of the Imperial Legislature such purely Irish business as could be more efficiently discussed apart.

There is no sympathy and no confidence between the great public Departments in Ireland and the bulk of the Irish people. Whatever is done by the former is regarded with suspicion, and therefore the best intentions in the world are barren of result. If mutual trust could be sown between the two, one of the chief difficulties in the government of Ireland would be overcome. The Irish people would then be brought into closer touch with every Department of Irish government, and into more intimate communion with the development of their history. They would feel that the interests of the two countries were common interests, and that they had a part and lot in the working out of their own welfare.

Some mention of the Congested Districts Board¹ is not out of place in connection with the preceding paragraph, for it has proved an indubitable success in Ireland, very largely owing to the fact that it is not a Government Department, and does not therefore stir the animosity of the Irish people. It is, moreover, composed of men of all parties. Early, however, in the spring of 1904, the Board (as a result of the complications arising from the Agricultural Department and itself working in the same area, and of the Board operating without asking for any local help in the shape of rates, whilst the other made it a *prima facie* condition that the rates should contribute) transferred the agricultural portion of its work to the Department of Agriculture.

¹ The origin of the "Congested Districts" ("congested" in this case being a synonym for "very poor") is probably partly to be found in the plantation of Ulster by James I, and in the Cromwellian and other settlements, which led to a vast migration from the good lands to the poorer lands of the West. The Board was created for the purpose of aiding migration as well as emigration from an electoral division, but the latter object has been neglected owing to the pressure of other work. Its chief function is to purchase land and improve it before selling it to the tenant; and it consists of ten members—the Chief Secretary, a member of the Land Commission, and five permanent and three temporary members, all of whom are unpaid in respect of their services. But it is not a Department in the ordinary sense of the word, for the Board is not represented by a minister responsible to Parliament, and the Chief Secretary is not, *ex officio*, chairman, but enjoys that position by the election of his colleagues. Neither is it subordinate to the Chief Secretary's office or to the Ministry of the day. For certain purposes, however, the Viceroy must be consulted, and all applications to the Treasury for expenditure out of the vote must pass through the Castle. With this exception, all correspondence, either with the Treasury or other Government Departments, may be conducted independently. The population of the "congested districts" is about half-a-million. There are about 85,000 holdings under a £5 valuation per family, that is to say, uneconomic, of which 55,000 are under a £4 valuation. Between 14,000 and 15,000 of these holdings have already been bought by the Board, and about 6000 of the latter resold to tenants. The total area of the "congested districts" is 3,626,381 acres. See the Minutes of Evidence in the Appendices to the first three reports of the Royal Commission on Congestion in Ireland, 1906 and 1907.

The consequence of this move has been that the transferred branch of economic effort has met with less approbation on the part of the Irish since that date. Throughout the evidence given in 1906 and 1907 before the Royal Commission on Congestion there are repeated tributes to the utility of the work which the Board has done, and, what is much more important, to the confidence reposed in it by the Irish, and for this latter reason, above every other, there are almost unlimited possibilities for it as an instrument of reform, and every endeavour ought to be made to render its efforts widespread and successful. Now, in the first place, there is a feeling at the present time that the Board is not sufficiently representative of local interests, Donegal only, and Mayo, being represented upon it, and there is no doubt that it would add to the authority and still further enhance the popularity of the Board were each congested district to be given representation. A representative man could be chosen by each locality, or nominated by the Government, and the probable success of such a policy may be measured by the favour already shown to the Board on account of its impartial and sympathetic attitude towards the interests of the people. In the second place, the limitation which results from the statutory definition of "congestion" ought to be abolished, and the activity of the Board, instead of being cramped within the restricted limits of the present scheduled areas, extended generally throughout the island. This is but reasonable, as there are a multitude of districts outside the scheduled area which are as destitute as those within it, and deserving of as much attention as any which have up till now received assistance. The Board ought, in the third place, to have larger funds placed at its disposal. It has now only about £11,000 a year to set apart in order to cover the loss arising on resale, after improvement, of the land which it purchases, this loss amounting on an average to about 8 per cent. That is to say, it can buy land to the value of only £140,000 a year. This sum is so small that the means of relieving congestion will slip through its hands if no further moneys are forthcoming, as land available for congestion is rapidly being sold and passing from the hands of the owners into those of purchasers, who intend to hold on to it. The Board, therefore, ought to be placed in a position to purchase untenanted land, which is the kind that is wanted most, in large quantities, and to buy out large graziers, and utilize the land so acquired for the enlargement of small holdings or the migration of tenants to new ones; and it might be found advisable to give the Board certain compulsory powers in this direction. In order to buy, say, £400,000 worth of land a year, and allow for a loss of 8 per cent. on resale, a provision of 8 per cent. on £400,000 would be necessary, or £20,000 a year more than is now available. Even this sum is inadequate for the

purchases that ought to be made. Some addition, however, is imperative, for if the Board cannot obtain an increase of funds, the work will have to be done by some other Department. There is a subsidiary but important consideration in connection with an augmentation of funds. The Board has found it almost impossible to persuade individual members of families to leave their homes when agricultural development on the spot is impracticable, and the policy of migration to other holdings becomes necessary. The Irishman cleaves to the family connection and the family home until starvation drives him out. The only way, therefore, out of this particular difficulty, in the future, seems to be to assist a little community of families, or even a townland, to migrate *en bloc*. To ensure the initial success of an undertaking of this sort, the Board should be given the power, which it does not at present possess, to satisfy local requirements by enlarging and rendering economic the holdings of those families already living on, or just outside, the purchased estate, before the arrival of the new owners, so as to allay any ill-feeling against the migrants. Such a policy would necessarily involve an ample supply of land, which cannot be obtained without increased expenditure; but surely the experiment is worth the expense. At present there is a considerable waste of public money, which might be saved towards this purpose. The loss suffered in respect of sanitary work is merely one small instance. The Parish Committees, which are the creation of the Board, have for a long time been usefully employed among other things in removing the cattle from the homes and erecting outhouses for them, as well as in shifting the manure heaps from the immediate neighbourhood of the houses. But the sanitary inspectors appointed by the District Council are being paid by ratepayers and Imperial taxpayers under the Public Health Act to see that these very operations are carried out. The sanitary inspectors, however, whose salaries are fixed by the Local Government Board, and have to be paid, do not do the work, and, as a matter of fact, are unable to get it done, and thus the Congested Districts Board is paying money for doing what has already been in part paid for out of public funds. In the fourth place, the relations between the Congested Districts Board and the Estates Commissioners stand in need of adjustment. There is considerable delay in the vesting of estates sold by landlords to the Board, due largely to the deficiency of staff in the Estates Commissioners' Office, which has to inquire into the title and complete the transfer, and also to the limited amount of money advanced for the purpose of purchase, to which attention has already been drawn. Moreover, the Estates Commissioners under the Act of 1903 can, with the consent of the landlord, deal with congested estates within the districts under

the jurisdiction of the Board; and the fact of there being two systems of improvement taking place on perhaps adjoining estates leads to much inconvenience. This, as well as the general relations between the Board and the Commissioners and the question of overlapping, is a matter principally of administration, and an exact determination of the scope suitable to the activities of each would greatly simplify the progress of Irish land reform and quicken all the parts of the machinery. The Congested Districts Board has shown that it can work in sympathy with the Irish people: the assistance necessary for its labours ought not, therefore, to be grudged.¹

An effort ought also to be made to mete out impartial justice to Ireland in respect to the proportionate taxation of the two countries. As was clearly proved by the weighty Childers' Commission,² which reported in 1896, Great Britain and Ireland have from the Union downwards been treated financially as separate countries, despite the assimilation of 1853-1860, and the right of Ireland to the "exemptions and abatements" secured to her under the Treaty of Union still gives her in strict justice a claim to various immunities from taxation. The Commissioners showed that the revenue and taxation of Ireland compared to that of Great Britain had ranged of late years between £7,300,000 or £7,800,000, as against eighty-five or eighty-nine millions, that is, between an eleventh and a twelfth part, or, in other words, 8 or 9 per cent. of the whole.³ But, if the resources of Ireland were taken into account, her means could not be reckoned at more than one-twentieth those of England and Scotland. For, taking Ireland's relative assessment to income-tax as a fair measure of her wealth, we find that in 1893-4

¹ There are various other problems whose solution might be found in the widening of the powers of the Congested Districts Board. For instance, the construction of roads giving access from the villages to bogs, markets, and the main roads is a requirement which the local authorities have long neglected, from a fear of raising the rates. Again, for the encouragement and development of the herring fishery a number of piers and boat slips, constructed on a scientific plan, are wanted round the coast, as well as more boats for the fishermen, and larger boats for distant fishing, such as on the Scottish coast. The kelp industry, too, is capable of development, and chemical works might be set up with advantage to deal with it and manufacture the iodine; whilst the by-products could be used for manure. In fact, if labour and capital could be brought together and induced to join hands, many industries, such as, for example, lace and carpet manufacture, and cooperage, might be started in various districts, some of them especially in the inland congested areas where there are no fishing resources to fall back upon. But factories are not likely to flourish except where the population is dense, and what the poorest districts stand particularly in need of are cottage industries, such as dairies and other minor enterprises of the sort.

² See the joint and separate reports, together with the Minutes of Evidence, of the Royal Commission on the Financial Relations between Great Britain and Ireland, 1896.

³ The proportion which the 'true' revenue of Ireland bore to the 'true' revenue of Great Britain in 1893-4 was as 1 to 12; the 'true' revenue being the revenue which included, as the yield of duties on commodities, not the amount of such duties collected in Ireland, but the amount of such duties paid on commodities actually consumed in Ireland.

her proportion of gross assessment was 5·4 per cent., or one-twentieth of the whole; her proportion of net assessment was 4·6 per cent., or one-twenty-second; and her yield from the tax was 4·1 per cent., or about the same as the net assessment. That was to say, her taxation ought to be, at the most, one-twentieth only of that of Great Britain—in other words, not seven or eight millions, but certainly less than five millions; not 8 or 9 per cent., but only 5 per cent. of the whole. Ireland had, therefore, as the report conclusively demonstrated, been overtaxed between two and three millions sterling for more than a generation. But if—and the theory, although not agreed to by the Commissioners as a whole, was supported by Sir Robert Giffen, who gave evidence—taxation ought only to be imposed on the surplus remaining over and above the cost of the necessities of life for the community as a whole, then, as this surplus in the case of Ireland would be very much smaller than in that of England and Scotland, Irish taxation, due proportion being observed, ought not to be one-twentieth according to the Commission's report, but one thirty-sixth of the taxation of Great Britain; that is to say, a sum certainly less than three millions sterling. Ireland, it should not be forgotten, has a claim to special consideration. The Royal Commissioners pointed out in 1896 that, while the productive power and wealth of the British population was constantly and rapidly increasing, that of the Irish population had been for a long time stationary or declining. The population of Great Britain had also been growing, but in Ireland it had been steadily diminishing. In 1841 the population of the larger island numbered 18½ millions, and in 1891, 35 millions; whereas in Ireland the numbers were 8 millions in 1841 and only 4½ millions in 1891.¹ Ireland too had more people, in proportion, over fifty years of age, and fewer in the prime of life, between twenty and forty, than Great Britain,² whilst the proportion of the population afflicted with physical defects that rendered them incapable of carrying on productive employment was greater in the smaller island than in Great Britain. In spite of all this, taxation per head in Ireland increased from 14s. 5d. in 1819–20 to £1 8s. 10d. in 1893–4, whilst in Great Britain it diminished during this period from £3 10s. 3d. to £2 4s. 10d. Moreover, the yield from taxes on commodities in Ireland was double in 1893–4 what it was in 1819–20, and it formed in the latter year 76·4 per cent. of the whole of her taxation. The

¹ In 1901 the population was 4,458,775, and in 1905 it was estimated at 4,391,565, or an annual decrease of 17,000 during the four years.

² In 1900 the total number of emigrants was 47,107; 82 per cent. of whom were between the ages of 15 and 35. The rate of emigration has been greatest in the poorer parts of Ireland. For the ten years ending March 31, 1901, it was 2·28 per cent. in Ulster, 3·26 per cent. in Leinster, 8·29 per cent. in Munster, and 10·8 per cent. in Connaught.

amount, on the other hand, produced by these taxes in Great Britain in 1893-4 was about half what it was in 1819-20, and only formed 53·7 per cent. of the whole taxation of the latter. Again, the duties on spirits, beer, wine, tea, and tobacco per head of the population of Great Britain in 1893-94 were 22·95 shillings; and in Ireland they were 21·05 shillings. But as the wealth per head of the population of Great Britain was much greater than in Ireland, these figures were not, even approximately, in the proportion of the average wealth or income of the inhabitants of the two countries. This is where the inequality in the incidence of taxation made itself felt. Tea, tobacco, and spirits, which are articles that the average Irishman consumes equally with the inhabitants of the United Kingdom, are more or less heavily taxed, while the income out of which he can purchase them is very much smaller. The effect of the changes of taxation since 1819 has been to make the contribution of Ireland to the Exchequer fall in a much larger proportion on consumption, that is to say, on the lower classes, than it did at the commencement of the nineteenth century, whilst in Great Britain the propertied classes have borne an increased share of taxation. The Royal Commissioners of 1896 also showed that the cost of administering Civil Government in Great Britain, which was paid out of the common purse, was only 11s. 5d. per head of her population, whilst the cost, so paid, of administering Civil Government in Ireland was, 19s. 7d. per head of the Irish population, and that if the cost per head of administering the smaller island were reduced to the cost per head in Great Britain, the saving would be nearly two millions a year. Ireland contributed, after paying her own expenses, about two millions to the other expenditure of the Empire; but in 1859-60 she contributed £5,400,000. They showed that this contribution had steadily declined in consequence of the increased cost of her administration, which had grown from £2,300,000 in 1859-60 to £5,600,000 in 1893-4; and that at this rate the two millions contributed to the expenditure of the Empire would at no very distant date be turned into a deficit. These matters ought to give food for thought. Ireland has a claim to some reform in the department of finance, and it would be a graceful act, if nothing more, were an annual grant to be made to her in compensation for her more than proportional taxation, and the amount thus allowed, whether saved by a more economic system of Irish administration or by other means, could be wisely employed in promoting such schemes as would benefit her people both industrially and socially.

As to the agrarian question, no deepseated genuine grievance racks the vitals of the Irish peasant any longer. There may be, undoubtedly there are, various reforms of differing magnitude in the administration of the several Land Acts passed for Ireland

during the last twenty years which require consideration. But they are not of the texture to form the groundwork of another agrarian revolution or to serve as a stalking-horse for the ambition of unscrupulous separatists. The only grievance that lies curled up at the core of Irish life is now a historical, almost a legendary one. Old age has fastened upon it and drawn its fangs. More than two centuries ago the soil of Ireland was confiscated and parcelled out among aliens and invaders, and the former owners were either driven from their homes or left to grind their teeth in almost servile condition upon the farms that once belonged to them. But there is such a thing as prescription in the natural as in the artificial law, and were original and ancient claims to be universally insisted upon and satisfied, not an acre of land in Europe but would change hands. The landlords of Ireland are in possession of the little that remains to them after the legislative confiscation of the last three decades, and it would be just as much robbery to pillage them of their property to-day, as it was robbery to plunder the Catholics to bribe their ancestors with it 250 years ago. Buy them out by all means, if they are willing to sell, but buy them out generously, and take good care that the land finds its way into the hands of men who will use it for the common good of the Irish people, and not into the hands of gamblers and middlemen, who buy merely to sell again and extract what profit they can out of the transaction, irrespective of the ill that may accrue to the community. What proved Gladstone's two Home Rule Bills to be crude and ill-considered was that they left the landlords at the mercy of a hostile Catholic population. Many landlords of Ireland have been guilty in days gone by of selfishness and hard dealing, and retribution has already overtaken them; but who is the man who shall presume to sit in judgment upon a whole class for the misdeeds of some of the members? If Gladstone had first bought the Irish landlords out and safeguarded the Protestant population against the natural instincts of revenge and antipathy on the part of the overwhelming Catholic majority, his two measures would not have failed to be unstatesmanlike, far from it, but they would at least have had the merit of honesty and good faith. What the land of Ireland stands in need of is an organized system of drainage and reclamation.¹ Tillage of the soil would very soon

¹ Afforestation is also necessary. Belts of woodland might, for instance, be planted on many of the mountains of the West of Ireland between the arable land and the commonage, giving shelter to the holdings below and to the pasturage above. Besides affording shelter and probably improving the climate, they would be a preparation for the fuel that will be required in two or three generations, when the peat has become exhausted in these districts. Planting, too, might be carried out in untenanted land where turf has been cut, and where the roots of bog fir and oak make the land practically untillable. Old blocks of trees render such land unfit also for potatoes, and it is no good for grazing. A few surface drains would be practically all the work required before planting.

follow in their wake. The occupiers of holdings are gradually becoming the owners, but no substantial benefit will accrue to them, until Government takes in hand these preliminary measures. The small owners are far too poor to attempt these great undertakings themselves, but if they are not carried out, the landlords might just as well have remained in possession, for the Land Acts without them are mere waste paper, so far as profitable husbandry is concerned. In the great majority of cases the purchase-money paid to the old proprietors for their estates will be spent out of Ireland. That is to say, she will derive no practical advantage from the dispersal of all this wealth, and it is therefore all the more necessary that what remains behind should be put to the best possible Irish profit.

There should be little reasonable opposition to the next reform. The proportionate preponderance of Irish over British members in respect of the population and the number of electors they represent ought to be rectified by a redistribution Bill. Such a measure would not fail to arouse the unrelenting antagonism of those who rely upon the present size of the Irish Parliamentary party for their purposes of obstruction and agitation. But a Redistribution Bill is amply warranted by the numerical disparity at present existing and would do nothing more than adjust the balance between the various parts of the United Kingdom represented in the House. Taking the Parliament of 1902, for instance, every 7,066 electors in Ireland returned on the average one representative, whilst in England every 11,038 only returned one member. Moreover, the average population represented by each member in Great Britain was 66,068, whilst in Ireland it was only 44,124. Thus on a strict population basis Ireland was over-represented to the extent of almost one-third, and some seventy members instead of one hundred and three would have given her, on that basis, her full share of political power. Now the old Irish House of Commons consisted of three hundred members, two-thirds of whom sat for small pocket boroughs, and the principles on which the Government acted in determining the Irish representation after the Union were stated by Pitt in 1800 as follows—

“When it is necessary that the number should be fixed, it is necessary to have recourse to some principle to guide our representation. I am not aware of any one that can be more properly adopted than that which was laid down in the discussions on this subject in the Parliament of Ireland. I mean a reference to the supposed population of the two countries and to the supposed rate of contribution. I do not think that the proportion of population or that of contribution taken separately would either of them form so good a criterion as when taken together; but even when combined I do not say that they are perfectly accurate. Taking this principle, it will appear that the proportion of contribution

proposed to be established is seven and a half for Great Britain and one for Ireland, and that in the proportion of population Great Britain is to Ireland as two and a half or three to one. So that the result upon a combination of these two will be sometimes more than five to one in favour of Great Britain, which is about the proportion that it is proposed to establish between the representatives of the two countries."

The population of Ireland, however, which was probably, as compared with that of Great Britain at the date of the Union, in the proportion of about 5 to 15·5, or one-third, had fallen in 1902 to 4·5 to 37, or about one-tenth, yet Ireland was represented by one hundred and three members as against one hundred members—the figure settled on Pitt's principles. Moreover, in the financial year 1900–1, the net contributions of Great Britain to the Imperial expenditure was a little over 97·5 per cent., and that of Ireland a little over 2·5 per cent. That is to say, the contribution of Ireland was a little less than one-fortieth of that of Great Britain, as against two-fifteenths, which according to Pitt's calculation it was one hundred years before. Therefore, on Pitt's principle of allocating political power—that is, taking the mean of population and contribution—Ireland, which would have had seventy-one or seventy-two members on a strict numerical basis of contribution, would have been properly represented in the Parliament of 1902 by forty-four members, as against the one hundred given her by the Act of Union, increased to one hundred and five in 1832, and fixed at the present figure of one hundred and three by this redistribution bill of 1884–5. Even under the application of the population test alone, the number of Irish members would, it will be seen, have been reduced by about thirty.

Finally, the University question must be dealt with.¹ It was calculated a few years ago that one student in every 579 of the Protestant Episcopalian population of Ireland was educated at Trinity College, and that one in every 1,200 of the Presbyterian population enjoyed a University education; whilst the Roman Catholics, who amounted to seventy-four per cent. of the whole population of the country, had no institution for higher education in the proper sense of the term. As a University institution, the Roman Catholic University College in St. Stephen's Green

¹ Arthur James Balfour said at Partick in Dec. 1889—"It is not for us to consider how far the undoubtedly conscientious objections of the Roman Catholic population to use the means of education at their disposal are wise or unwise. That is not our business. What we have to do is to consider what we can do consistently with our conscience to meet their wants."

And again, on Mr. Engledeu's amendment to the Address, February, 1897—"We have to accept the fact that unless we are able to contrive some system of proper education in which the Roman Catholic population will consent to take part, it is vain for us to hope that higher education will be practically brought within the reach of a large number of the members of that community which certainly ought to take advantage of it."

is inadequate. It is crippled on the side of the practical sciences, as pointed out by the Royal Commissioners in their report in 1903, having no funds for the equipment of laboratories and of all that the prosecution of those studies demands. The Catholics of Ireland, whether rightly or wrongly, repudiate the existing system of higher education, and, if they were free to follow their own principles and create a system of education for themselves, there is no doubt that they would establish a University system on a denominational basis, that is, provided the funds for carrying it on were in their own hands and they were free to act as they wished. What the Roman Catholic Irish ask for is a scientific and literary education, satisfying the demands of modern economic progress, and given under conditions that would not be detrimental to the religious faith of the students who might attend the University. The number of Roman Catholics who obtain positions of emolument in Ireland under the Government have been disproportionately small to the number of Protestants who have secured such posts. The disparity is naturally attributed by the Catholics to partiality and favouritism, but the real reason undoubtedly is that the best available material is to be found among the Protestant population on account of their superior educational opportunities. If the Catholics had a central institution in Dublin of the kind suggested above there is no reason why the number of its students should not reach to between one and two thousand within a short time. The Royal University of Ireland is, after all, nothing but an examining body, and in no sense a University, and its inadequacy, as at present constituted, was fully exposed by Lord Robertson's commission of 1901. The Catholic University of Ireland includes, besides University College, Dublin, several other Catholic colleges.¹ It can grant degrees in theology and philosophy, and send up its students for other degrees to the examinations of the Royal University; but it is now practically inoperative; it does not receive any pecuniary assistance from the State, and is dependent upon the alms of Catholics.² Meanwhile Trinity College, which forms the only college of the University of Dublin, and is practically synonymous with it, remains a well-endowed Protestant institution affording an excellent training to students, but almost entirely monopolized by the Protestant upper classes and therefore little

¹ See the footnotes to the chapter on the Royal University.

² It has sometimes been argued that the Catholic University College, Dublin, is indirectly endowed by the State, because its fifteen Professors, who are also fellows of the Royal University, receive in that capacity a salary of £400 each from out of the funds of the latter. But it must be taken into account that they do examining work for the Royal University, and therefore these payments to them are anyway partly remuneration for their services. The argument also cuts both ways, for if University College is already endowed, there is no reason why it should not be endowed still further.

resorted to by Roman Catholics. Its fees are heavy, a good deal higher than those at Queen's College, Belfast, and this forms an additional obstacle for any poor Catholics who might otherwise be willing to enter it. Classics and mathematics are also the subjects which engage its chief consideration, at the expense of other departments of knowledge, such as modern languages and agriculture, which are more directly useful in the present competition of the world. The Queen's Colleges at Belfast, Galway and Cork are avoided by the Irish Catholics for reasons which have been described in another part of this book, although the one at Belfast happens to fall in with Presbyterian views. They too receive a large bounty from the State, whilst the Catholic University remains unendowed. So say the Catholics, but, on the other hand, how can a Protestant country like England consent to the State maintenance of a system in which she does not believe? The answer is easy. It is the business of the State to let conscience alone and to rear useful and patriotic citizens. As long as the ecclesiastical system and religious opinions of the Catholics do not interfere with their duties as members of a great Imperial community, every effort ought to be made to afford them a sound educational upbringing in harmony, so far as is practicable, with their historical past and their natural inclinations. Nothing could be more conducive to the advancement of their material and moral interests than the application of a policy of this kind, and few things would tend to bind the Catholics of Ireland to the Protestants of Great Britain with firmer bonds of gratitude than a generous recognition by the latter of the great preponderance of Catholic feeling across the Irish Channel and its claim to their sympathy and assistance. A purely Catholic College or University assisted by the State might, it is true, in the course of years, enhance the dignity of the Catholic Church in Ireland. It might also gain proselytes from the other side. But it would do much more than this. It would become the nucleus of a large and increasing body of highly-educated Irish Catholics, who would be more likely to grow into loyal subjects of the Crown than the Irishmen who now get a precarious education wherever they can pick it up, and who would gradually spread their influence among the population and dispel the Cimmerian ignorance that at present exists and is the disgrace and misfortune of the bulk of the Irish priests and the peasantry whom they govern.¹

¹ The Commissioners, who reported in 1907, divided themselves into two main lines of opinion, namely, 1. That the University of Dublin should be remodelled so as to contain five colleges within it, namely, Trinity College, a college acceptable to Roman Catholic students in Dublin, and the three Queen's Colleges, the Royal University being abolished. 2. The reconstruction of the Royal University so as to become a teaching University comprising four constituent colleges, namely, a new college in Dublin acceptable to Roman Catholics, and the three Queen's Colleges. This also was

The Irish Nationalist will treat most of the foregoing proposals with scorn and derision, for he wants "Home Rule," naked and unadorned, and will not find it here. But "Home Rule" for Ireland, as it is called, is impracticable. It would throw Ulster into the power of a large and hostile majority who still look forward to the sweetness of revenge. It would give the fortunes of the country into the hands of a people who are as yet backward in education, and therefore priest-ridden and ignorant, and for these reasons unfit in present conditions to work out their destinies as an independent nation not a score of miles from the shores of Great Britain. It would also gradually tend to the complete social and industrial alienation of the two countries, and probably in the end to the severance of Ireland from the Crown itself. This latter consummation is what the Nationalist agitator is working for day and night, but the great majority of Irishmen do not desire it. What they do yearn for is just, firm, sympathetic, and above all intelligent government, and nothing would gratify them more, once they were weaned from the professional hustler, than to find they had at length secured it.

the scheme recommended by the Robertson Commission in 1903. A third scheme which was adumbrated during the hearing of the evidence was that Trinity College should remain as it is in the University of Dublin; that the Royal University should be abolished; and that a Roman Catholic University should be set up in Dublin comprising Queen's College, Cork, and Maynooth College; while Belfast College would, when ripe for it, be gradually turned into a University itself. A fourth scheme, which was only mentioned to be rejected as impracticable, was that Trinity College should undergo modification itself in order to conciliate Catholic susceptibilities. The first scheme would arouse the violent opposition of Trinity College, whilst the second would probably meet with the least resistance all round. But the third scheme would in all likelihood have the best chance of surviving ultimately, considering the present tendency towards the multiplication of Universities. That tendency is very evident. The first Napoleon demolished the various Universities of France and, on his principle of centralization, federated them in a single one; but since 1896 the old system has been reverted to, and they have all been reconstituted as separate institutions. The federation of Colleges of the old Victoria University has also been broken up. Scotland has four Universities, and there are already whispers of separation on the same lines in Wales. In Prague, where the population is almost exactly that of Dublin, the system of two Universities side by side has worked well. There was a German University which did not satisfy the Czechs, and so a Czech University was established twenty years ago by the Emperor of Austria in Prague beside the German one, and they are both in a flourishing condition. Neither of them has received any detriment on account of the existence of the other. This third scheme is also the one which seems to have the support of Arthur Balfour. Writing to one of his constituents in Manchester on January 23, 1899, he said—"That the scheme thus sketched out violates no accepted principle of legislation, that it confers no exceptional privilege upon any particular denomination, I hold to be incontrovertible. Is there, then, anything in it which would give umbrage to us as Protestants? Is it not rather as Protestants that we ought specially to welcome it? We claim, and justly, to have been the pioneers of toleration. Let us not persist in a policy so perilously suggestive of intolerance. We claim, and justly, that the Reformation scarce did more for the purification of religion than for the advancement of learning. Let us not show zeal for one-half of its work by frustrating the other. We have not here, be it remembered, a proposal for making Roman Catholics, but only a proposal for educating them."

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APPENDIX I

ADMINISTRATIONS OF ENGLAND IN THE EIGHTEENTH AND NINETEENTH CENTURIES¹

QUEEN ANNE

1702. Sidney, Lord Godolphin, afterwards Viscount Rialton, and Earl of Godolphin : Treasury.
Thomas, Earl of Pembroke and Montgomery : Lord President.
John Sheffield, Marquis of Normanby, afterwards Duke of Normanby and Buckingham : Privy Seal.
Hon. Henry Boyle : Chancellor of the Exchequer.
Sir Charles Hedges and the Earl of Nottingham (the latter succeeded by the Right Hon. Robert Harley, created Earl of Oxford in 1704) : Secretaries of State, etc.
1711. Robert, Earl of Oxford : Treasury.
Sir Simon (afterwards Lord) Harcourt : Lord Keeper.
John, Duke of Normanby and Buckingham : Lord President.
John, Bishop of Bristol (afterwards of London) : Privy Seal.
Henry St. John (afterwards Viscount Bolingbroke), and William, Lord Dartmouth : Secretaries of State.
Right Hon. Robert Benson (afterwards Lord Bingley) : Chancellor of the Exchequer.
1714. Charles, Duke of Shrewsbury : Treasury.
July 20 (two days before the Queen's demise). Patent revoked October 13, following.

KING GEORGE I

1714. Charles, Earl of Halifax : First Lord of the Treasury. (Succeeded on his death by the Earl of Carlisle.)
William, Lord Cowper (afterwards Earl Cowper) : Lord Chancellor.
Daniel, Earl of Nottingham : Lord President.
Thomas, Marquis of Wharton : Privy Seal.
Edward, Earl of Oxford : Admiralty.
James Stanhope (afterwards Earl Stanhope), and Charles, Viscount Townshend : Secretaries of State.
Sir Richard Onslow : Chancellor of the Exchequer.
The Dukes of Montrose and Marlborough, Lord Berkeley, Right Hon. Robert Walpole, Mr. Pulteney, etc.
1715. Right Hon. Robert Walpole : First Lord of the Treasury and Chancellor of the Exchequer.
1717. Right Hon. James Stanhope (afterwards Earl Stanhope) : Treasurer and Chancellor of the Exchequer.
William, Lord Cowper, Charles, Earl of Sunderland, the Duke of Kingston, Lord Berkeley, Right Hon. Joseph Addison, etc.
1718. Charles, Earl of Sunderland : First Lord of the Treasury.
Thomas, Lord Parker (afterwards Earl of Macclesfield) : Lord Chancellor.

¹ Extracted in part from Haydn's *Book of Dignities*.

- The Earl Stanhope, the Duke of Kent, Lord Berkeley, Mr. Craggs, Mr. Aislaby, etc.
1721. Right Hon. Robert Walpole (afterwards Sir Robert) : First Lord of the Treasury and Chancellor of the Exchequer.
 Thomas, Lord Parker (created Earl of Macclesfield) : Lord Chancellor.
 Henry, Lord Carleton (succeeded by William, Duke of Devonshire) : Lord President.
 Evelyn, Duke of Kingston (succeeded by Lord Trevor) : Privy Seal.
 James, Earl of Berkeley : First Lord of the Admiralty.
 Charles, Viscount Townshend, and John, Lord Carteret (the latter succeeded by the Duke of Newcastle) : Secretaries of State.
 John, Duke of Marlborough (succeeded by the Earl of Cadogan) : Ordnance.
 Right Hon. George Treby (succeeded by Right Hon. Henry Pelham) : Secretary at War.
 Viscount Torrington, etc.

KING GEORGE II

1727. Sir Robert Walpole, etc., continued.
1740. Sir Robert Walpole : First Lord of the Treasury and Chancellor of the Exchequer.
 Philip, Lord Hardwicke : Lord Chancellor.
 Spencer, Earl of Wilmington : Lord President.
 John, Lord Hervey : Privy Seal.
 John Potter : Archbishop of Canterbury.
 Duke of Newcastle and the Earl of Harrington : Secretaries of State.
 Sir Charles Wager : First Commissioner of the Admiralty.
 Duke of Dorset : Lord Steward.
 Duke of Grafton : Lord Chamberlain.
 Duke of Richmond : Master of the Horse.
 Earl of Pembroke : Groom of the Stole.
1742. Earl of Wilmington : First Lord of the Treasury.
- Feb. Lord Hardwicke : Lord Chancellor.
 Mr. Sandys : Chancellor of the Exchequer.
 Earl of Harrington : President of the Council.
 Earl Gower : Privy Seal.
 Lord Carteret and the Duke of Newcastle : Secretaries of State.
 Earl of Winchilsea : First Lord of the Admiralty.
 Duke of Argyle : Commander of the Forces and Master-General of the Ordnance.
 Henry Pelham : Paymaster of the Forces, etc.
 [The Duke of Argyle resigned and was succeeded by the Earl of Stair, as Commander of the Forces, and by the Duke of Montague at the Ordnance.]
1743. Right Hon. Henry Pelham : First Lord of the Treasury and Chancellor of the Exchequer, in the room of Spencer, Earl of Aug. Wilmington, deceased.
25. The "Broad Bottom" Administration, so called because comprising a grand coalition of all parties.
1744. Right Hon. Henry Pelham : First Lord of the Treasury and Chancellor of the Exchequer.
 Nov. Lord Hardwicke : Lord Chancellor.
 Duke of Dorset : President of the Council.
 Earl Gower : Privy Seal.

- Duke of Newcastle : Secretary of State for the Southern, and the Earl of Harrington for the Northern, Department.
 Duke of Montague : Master-General of the Ordnance.
 Duke of Bedford : First Lord of the Admiralty.
 Duke of Argyll : Keeper of the Great Seal of Scotland.
 Marquis of Tweeddale : Secretary of State for Scotland.
 Duke of Grafton : Lord Chamberlain.
 Duke of Richmond : Master of the Horse. [All of the Cabinet.]
1746. [Pelham and his friends having resigned, the formation of a new Administration, which expired within two days, while yet incomplete, was undertaken by the Earl of Bath. The members of it were actually appointed, and submitted for approval of His Majesty.]
- Feb. The "Short-Lived Ministry."
 10. Earl of Bath : First Lord of the Treasury.
 Lord Carlisle : Privy Seal.
 Lord Winchelsea : First Lord of the Admiralty.
 Lord Granville : one of the Secretaries of State. [Expired Feb. 12.]
1746. Right Hon. Henry Pelham : First Minister returned with his colleagues
 Feb. to power.
 12. [The Duke of Bedford resigned the Admiralty to the Earl of Sandwich, and succeeded the Earl of Chesterfield as Secretary of State, February 1748 ; and the Earl of Holderness succeeded the Duke of Bedford, June 1751, in the same office. Pelham died, March 6, 1754.]
1754. Thomas Holles Pelham, Duke of Newcastle : First Lord of the
 April Treasury.
 Hon. Henry Bilson Legge : Chancellor of the Exchequer.
 Earl of Holderness and Sir Thomas Robinson (afterwards Lord Grantham) : Secretaries of State. (The latter succeeded by the Right Hon. Henry Fox.)
 Lord Anson : First Lord of the Admiralty.
 Lord Granville : Lord President.
 Lord Gower (succeeded by the Duke of Marlborough) : Privy Seal.
 Duke of Grafton, Earl of Halifax, Right Hon. George Grenville, etc.
 Earl of Hardwicke : Lord Chancellor.
1756. William, Duke of Devonshire : First Lord of the Treasury.
 Nov. Right Hon. William Pitt : Secretary of State for the Southern Department.
 Hon. Henry Bilson Legge : Chancellor of the Exchequer.
 Earl Granville : Lord President.
 Earl Gower : Privy Seal.
 Earl of Holderness : Secretary of State for the Northern Department.
 Right Hon. George Grenville, Earl of Rutland, Dukes of Rutland and Grafton, Earl of Rochford, etc.
 The Great Seal in Commission.
1757. Duke of Newcastle and Mr. Pitt's Administration.
 June Thomas Holles Pelham, Duke of Newcastle : First Lord of the Treasury.
 Right Hon. William Pitt (afterwards Lord Chatham) : Secretary of State for the Northern Department, and Leader of the House of Commons.
 Lord Henley : Lord Keeper.
 Lord Grenville : Lord President.
 Earl Temple : Privy Seal.
 Mr. Legge : Chancellor of the Exchequer.
 Earl of Holderness : Secretary of State for the Southern Department
 Duke of Devonshire : Lord Chamberlain.

Duke of Rutland : Lord Steward.

Lord Anson : Admiralty.

Duke of Marlborough (succeeded by Lord Ligonier) : Master-General of the Ordnance.

Right Hon. Henry Fox (afterwards Lord Holland) : Paymaster.

Right Hon. George Grenville, Lords Halifax and Gower, James Grenville, etc.

KING GEORGE III

1760. Duke of Newcastle's and Mr. Pitt's Ministry, continued.

[The following were among the changes subsequent to the accession of George III—Sir Robert Henley, created Lord Henley. Lord Chancellor, January 1761; the Earl of Bute, Secretary of State, vice the Earl of Holderness, March; and the Earl of Egremont, vice Mr. Pitt, October, same year; Lord North, a Lord of the Treasury.]

1762. John, Earl of Bute : First Lord of the Treasury.

May Lord Henley : Lord Chancellor.

Sir Francis Dashwood (afterwards Lord le Despencer) : Chancellor of the Exchequer.

Lord Granville : Lord President.

Duke of Bedford : Privy Seal.

Earl of Halifax : Admiralty.

Earl of Egremont and Right Hon. George Grenville : Secretaries of State.

Lord Ligonier : Ordnance.

Right Hon. Henry Fox : Paymaster.

Viscount Barrington, Lord Sandys, Duke of Marlborough, Lords Huntingdon and North.

1763. Right Hon. George Grenville : First Lord of the Treasury and

May Chancellor of the Exchequer.

et seq. Earl Granville (succeeded by John, Duke of Bedford) : Lord President.

Duke of Marlborough : Privy Seal.

Lord Henley (afterwards Earl of Northington) : Lord Chancellor.

Earls of Halifax and Sandwich : Secretaries of State.

Earl Gower : Lord Chamberlain.

Lord Egmont : Admiralty.

Marquis of Granby : Ordnance.

Lord Holland (late Mr. Fox) : Paymaster.

Right Hon. Welbore Ellis : Secretary at War.

Lord Hillsborough : First Lord of Trade.

Duke of Rutland, Lord North, etc.

1765. Charles, Marquis of Rockingham : First Lord of the Treasury.

July Right Hon. William Dodeswell : Chancellor of the Exchequer.

et seq. Earl of Winchelsea and Nottingham : Lord President.

Duke of Newcastle : Privy Seal.

Duke of Portland : Lord Chamberlain.

Duke of Rutland : Master of the Horse.

Lord Talbot : Lord Steward.

General the Hon. Henry Seymour Conway and the Duke of Grafton : Secretaries of State.

Lord Egmont : Admiralty.

Marquis of Granby : Ordnance.

Viscount Barrington : Secretary at War.

Viscount Howe : Treasurer of the Navy.

Hon. Charles Townshend : Paymaster.

Earl of Dartmouth : First Lord of Trade.

- Lord John Cavendish, Thomas Townshend, etc.
 Earl of Northington (late Lord Henley) : Lord Chancellor.
1766. Earl of Chatham (late Right Hon. William Pitt) : First Minister and
 Aug. Privy Seal.
 Duke of Grafton : First Lord of the Treasury.
 Hon. Charles Townshend : Chancellor of the Exchequer.
 Earl of Northington : Lord President.
 William, Earl of Shelburne, and General Conway : Secretaries of State.
 Sir Charles Saunders (succeeded by Sir Edward Hawke) : Admiralty.
 Marquis of Granby : Ordnance.
 Lord Hillsborough : First Lord of Trade.
 Lord Barrington : Secretary at War.
 Frederick, Lord North : a joint Paymaster.
 Viscount Howe, etc.
 Lord Camden : Lord Chancellor.
1767. [William, Lord Mansfield, Lord Chief Justice of the King's Bench, became, *ex officio*, Chancellor of the Exchequer, *pro tem.*, on the death of Townshend, September, this year ; and Frederick, Lord North, was appointed Chancellor of the Exchequer, December following.]
1767. Augustus Henry, Duke of Grafton : First Lord of the Treasury.
- Dec. Frederick, Lord North : Chancellor of the Exchequer.
 Earl Gower : Lord President.
 Earl of Chatham : Lord Privy Seal until October 1768, then succeeded by the Earl of Bristol.
 Earl of Shelburne : Secretary of State for the Southern Department.
 Viscount Weymouth : Northern Department.
 Lord Hillsborough : Colonies.
 Sir Edward Hawke : First Lord of the Admiralty.
 Marquis of Granby : Ordnance.
 Lords Sandwich and le Despencer : Joint Postmasters-General.
 Lord Hertford, Thomas Townshend, etc.
 Lord Camden : Lord Chancellor.
1768. [Viscount Weymouth, Secretary of State for the Southern Department, vice Lord Shelburne ; Earl of Rochford, Secretary of State for the Northern Department, vice Lord Weymouth, November.]
1770. Frederick, Lord North : First Lord of the Treasury and Chancellor
 Jan. of the Exchequer.
 Earl Gower : Lord President.
 Earl of Halifax : Privy Seal.
 Lord Rochford, Lord Weymouth (succeeded by Lord Sandwich), and Lord Hillsborough (Colonies) : Secretaries of State.
 Sir Edward Hawke : Admiralty.
 Lord Granby : Ordnance.
 Sir Gilbert Elliot : Treasurer of the Navy.
 Lord Barrington : Secretary at War.
 Lord Hertford, Lord Carteret, etc.
- The Great Seal was delivered to Attorney-General Yorke, made Lord Chancellor, but before the patent for his peerage, under the title of Lord Morden, was completed, he died suddenly, and the Seal, after being a year in Commission, was given to the Hon. Henry Bathurst, one of the Commissioners, created Lord Apsley.
- [Lord North continued Minister eleven years, during the whole of the American War. The changes within this period were numerous ; among them were—1771 : Lord Halifax, Secretary of State, vice Lord Sandwich (who went to the Admiralty), succeeded as Lord Privy Seal by the Earl of Suffolk and Berkshire, January ; the

latter gave place to the Duke of Grafton, and became Secretary of State. June 1772 : Lord Dartmouth, Secretary of State, vice Lord Hillsborough. August, Viscount Townshend, Ordnance, vice Marquis Granby. October 1775 : Viscount Weymouth again Secretary of State, vice Rochfort ; and Lord George Sackville Germaine, vice Dartmouth, made Privy Seal. November 1778 : Lord Thurlow, Lord Chancellor. June 1779 : Lords Stormont and Hillsborough, Secretaries of State. Earl Bathurst, Lord President, November.]

1782. Marquis of Rockingham : First Lord of the Treasury

Mar. Lord John Cavendish : Chancellor of the Exchequer.

Lord Camden : President of the Council.

Duke of Grafton : Privy Seal.

William, Earl of Shelburne, and Right Hon. Charles James Fox : Secretaries of State.

Right Hon. Augustus Keppel : First Lord of the Admiralty.

Duke of Richmond : Master-General of the Ordnance.

Right Hon. Thomas Townshend : Secretary at War.

Right Hon. Isaac Barre : Treasurer of the Navy.

Right Hon. Edmund Burke : Paymaster.

Lord Thurlow : Lord Chancellor.

[The death of Rockingham, July 2, 1782, led to the Administration of Lord Shelburne, who accepted the office of First Minister without the privity of his colleagues, and Mr. Fox, Lord John Cavendish, and others, resigned.]

1782. Earl of Shelburne (afterwards Marquis of Lansdowne) : First Lord
July. of the Treasury.

Right Hon. William Pitt : Chancellor of the Exchequer.

Lord (afterwards Earl) Camden : President of the Council.

Duke of Grafton : Lord Privy Seal.

Thomas, Lord Grantham, and Right Hon. Thomas Townshend : Home and Foreign Secretaries.

Augustus, Viscount Keppel : Admiralty.

Duke of Richmond : Ordnance.

Right Hon. Henry Dundas : Treasurer of the Navy.

Isaac Barre : Paymaster.

Sir George Yonge : Secretary at War.

Lord Thurlow : Lord Chancellor.

1783. The "Coalition Ministry" (so called from the coalition of Fox and
April. Lord North).

Duke of Portland : First Lord of the Treasury.

Viscount Stormont : President of the Council.

Earl of Carlisle : Lord Privy Seal.

Frederick, Lord North, and Right Hon. Charles James Fox : Home and Foreign Secretaries.

Lord John Cavendish : Chancellor of the Exchequer.

Viscount Keppel : First Lord of the Admiralty.

Viscount Townshend : Master-General of the Ordnance.

Right Hon. Charles Townshend : Treasurer of the Navy.

Right Hon. Edmund Burke : Paymaster.

Right Hon. Richard Fitzpatrick : Secretary at War.

The Great Seal in Commission.

Lord Loughborough : Chief Justice of the Common Pleas, First Commissioner.

1783. Right Hon. William Pitt : First Lord of the Treasury and Chancellor
Dec. of the Exchequer.

Earl Gower : Lord President.

Duke of Rutland : Privy Seal.

Marquis of Carmarthen and Earl Temple (the latter immediately succeeded by Lord Sydney): Secretaries of State.

Duke of Richmond : Ordnance.

Viscount Howe : Admiralty.

Lord Mulgrave and Right Hon. William Wyndham Grenville (afterwards Lord Grenville): joint Paymasters.

Henry Dundas, etc.

Lord Thurlow : Lord Chancellor.

[During Pitt's long Administration numerous changes in the Ministry took place; among these were—Earls Camden, Fitzwilliam, Mansfield, and Chatham, successively Presidents of the Council; Marquis of Stafford, and Earls of Chatham, Spencer, and Westmoreland, Lords Privy Seal; Earl of Chatham and Earl Spencer, First Lords of the Admiralty; and Mr. Grenville (afterwards Lord Grenville), Mr. Dundas, and Duke of Portland, Secretaries of State. Pitt resigned in 1801.]

1801. Right Hon. Henry Addington : First Lord of the Treasury and
Mar. Chancellor of the Exchequer.

et seq. Duke of Portland : Lord President.

Earl of Westmorland : Privy Seal.

Lord Pelham, Lord Hawkesbury, and Lord Hobart : Home, Foreign, and Colonial Secretaries.

Earl St. Vincent : Admiralty.

Earl of Chatham : Ordnance.

Right Hon. Charles Yorke : Secretary at War.

Viscount Lewisham : India Board.

Lord Auckland : Board of Trade.

Lord Eldon : Lord Chancellor.

[Changes : Viscount Castlereagh, India Board, September 1802; Right Hon. Charles Yorke, Home Secretary, July 1803.]

1804. Right Hon. William Pitt : First Minister.

May. Duke of Portland (succeeded by Lord Sidmouth, late Mr. Addington,
et seq. January 1805) : Lord President.

Earl of Westmorland : Privy Seal.

Lord Hawkesbury : Home Secretary.

Lord Harrowby (succeeded by Lord Mulgrave) : Foreign Secretary.

Earl Camden (succeeded by Viscount Castlereagh) : Colonial Secretary.

Viscount Melville (succeeded by Lord Barham) : Admiralty.

Duke of Montrose : Board of Trade.

Lord Mulgrave : Duchy of Lancaster.

Right Hon. Mr. Dundas, Right Hon. George Canning, etc.

Lord Eldon : Lord Chancellor.

[The death of Pitt, January 23, 1806, led to the formation of another Cabinet.]

1806. "All the Talents" Administration.

Feb. Lord Grenville : First Lord of the Treasury.

Lord Henry Petty : Chancellor of the Exchequer.

Earl Fitzwilliam : Lord President.

Viscount Sidmouth : Privy Seal.

Charles James Fox, Earl Spencer, and William Windham : Foreign, Home, and War Secretaries.

Earl of Moira : Ordnance.

Sir Charles Grey (afterwards Viscount Howick and Earl Grey) : Admiralty.

Lord Minto : Board of Control.

Lord Auckland : Board of Trade.

Lord Erskine : Lord Chancellor.

Lord Ellenborough, Lord Chief Justice, had a seat in the Cabinet.

- [The death of Fox, September 13, 1806, caused several changes—Viscount Sidmouth, President of the Council ; Lord Holland, Privy Seal ; Lord Howick, Foreign Secretary ; Right Hon. Thomas Grenville, Admiralty ; Mr. Tierney, Board of Control.]
1807. William Henry Cavendish, Duke of Portland : First Lord of the Mar. Treasury.
 Earl Camden : Lord President.
 Earl of Westmorland : Privy Seal.
 Hon. Spencer Perceval : Chancellor of the Exchequer and Leader of the House of Commons.
 Lord Hawkesbury, Mr. Canning, and Viscount Castlereagh : Home, Foreign, and Colonial Secretaries.
 Earl Bathurst : Board of Trade.
 Mr. Dundas : India Board.
 Lord Mulgrave : Admiralty.
 Earl of Chatham : Ordnance.
 Lord Eldon : Lord Chancellor.
1809. [A quarrel and duel between Castlereagh and Canning led to the retirement of both. This, with the subsequent retirement of the Duke of Portland, who died shortly after on October 30, 1809, dissolved the Administration, which, after some negotiation with the Whigs, was reconstituted under]
1809. Right Hon. Spencer Perceval : First Lord of the Treasury, Chancellor Nov. of the Exchequer, and Chancellor of the Duchy of Lancaster.
 and Earl Camden : Lord President.
 Dec. Earl of Westmorland : Privy Seal.
 Hon. Richard Ryder, Marquis Wellesley, and Earl of Liverpool : Home, Foreign, and Colonial Secretaries.
 Lord Mulgrave : Admiralty.
 Mr. Dundas : Board of Control.
 Earl Bathurst : Board of Trade.
 Earl of Chatham : Ordnance.
 Viscount Palmerston : Secretary at War.
 Lord Eldon : Lord Chancellor.
- [1810 : Lord Mulgrave went to the Ordnance, and was succeeded at the Admiralty by the Right Hon. Charles Yorke. Some subordinate changes took place.]

REGENCY OF GEORGE, PRINCE OF WALES

1811. Spencer Perceval and his colleagues continued.
- Feb. The assassination of Perceval on May 11, 1812, led to several changes. After much fruitless negotiations with the Whigs the former Government was reconstituted under
1812. Robert Banks, Earl of Liverpool : First Lord of the Treasury.
 May Earl of Harrowby : Lord President.
 and Earl of Westmorland : Privy Seal.
 June. Mr. Vansittart : Chancellor of the Exchequer.
 Earl of Mulgrave : Ordnance.
 Lord Melville : Admiralty.
 Viscount Sidmouth, Viscount Castlereagh, and Earl Bathurst : Home Foreign, and Colonial Secretaries.
 Earl of Buckinghamshire : Board of Control.
 Marquis Camden, Lord Palmerston, Earl of Clancarty, etc.
 Lord Eldon : Lord Chancellor.
- [Among the changes that afterwards took place were the following—Charles Bragge Bathurst, Chancellor of the Duchy of Lancaster, a Cabinet Minister, and W. Wellesley Pole, advanced to the

Cabinet as Master of the Mint, 1814 ; Mr. Canning made President of the Board of Control, 1816 ; Frederick John Robinson, President of the Board of Trade, 1818 ; The Duke of Wellington, Master-General of the Ordnance, 1819.]

KING GEORGE IV

1820. Earl of Liverpool and his colleagues continued.
- Jan. [1822 : Right Hon. Robert Peel became Home Secretary, January ; and W. W. Wynn, President of the Board of Trade, February. On the death of Viscount Castlereagh (the Marquis of Londonderry), Canning became Foreign Secretary, September 1822. Viscount Sidmouth continued a member of the Cabinet without office. In 1823, Huskisson united the Board of Trade with the Treasurership of the Navy ; and a few other changes subsequently occurred.]
1827. Earl of Liverpool, continued. At the close of Lord Liverpool's long Administration, it consisted of the following members—
 Earl of Liverpool : First Lord of the Treasury.
 Frederick J. Robinson : Chancellor of the Exchequer.
 Lords Harrowby and Westmoreland : Lord President and Lord Privy Seal.
 Mr. Peel, Mr. Canning, and Earl Bathurst : Secretaries of State for the Home, Foreign, and Colonial Departments.
 Lord Melville : Admiralty.
 Duke of Wellington : Ordnance.
 Lord Bexley (late Mr. Vansittart) : Duchy of Lancaster.
 Charles W. W. Wynn and Mr. Huskisson : Boards of Control and Trade.
 Lord Sidmouth : without office.
 Lord Eldon : Lord Chancellor.
 [Dissolved, owing to Lord Liverpool's illness, April 1827.]
1827. Right Hon. George Canning : First Lord of the Treasury and
 April. Chancellor of the Exchequer.
 Lord Harrowby : Lord President of the Council.
 Duke of Portland : Privy Seal.
 Lord Dudley, Viscount Goderich, and Mr. Sturges Bourne : Foreign, Colonial, and Home Secretaries.
 Mr. Wynn : Board of Control.
 Mr. Huskisson : Board of Trade.
 Lord Palmerston : Secretary at War.
 Lord Bexley : Duchy of Lancaster.
 Duke of Clarence : Lord High Admiral.
 Lord Lyndhurst : Lord Chancellor.
 [The Marquis of Lansdowne had a seat in the Cabinet, to which were soon added the Seals of the Home Department.]
 [The death of Canning, August 8, led to several changes.]
1827. Viscount Goderich : First Minister.
 Aug. Duke of Portland : Lord President.
 Earl of Carlisle : Privy Seal.
 Viscount Dudley, Mr. Huskisson, and Marquis of Lansdowne : Foreign, Colonial, and Home Secretaries respectively.
 Lord Palmerston : Secretary at War.
 Mr. Wynn : Board of Control.
 Charles Grant : Board of Trade.
 Mr. Tierney : Master of the Mint.
 Lord Lyndhurst : Lord Chancellor.
1828. Arthur, Duke of Wellington : First Lord of the Treasury.

- Jan. Mr. Goulburn : Chancellor of the Exchequer.
 Earl Bathurst : President of the Council.
 Lord Ellenborough : Privy Seal.
 Mr. Peel, Earl Dudley, and Mr. Huskisson : Home, Foreign, and Colonial Secretaries.
 Viscount Melville : Board of Control.
 Mr. Grant : Board of Trade.
 Lord Palmerston : Secretary at War.
 Mr. Herries : Master of the Mint.
 Earl of Aberdeen : Duchy of Lancaster.
 Mr. Arbuthnot, Mr. V. Fitzgerald, etc.
 Lord Lyndhurst : Lord Chancellor.
 [Huskisson, Earl Dudley, Viscount Palmerston, and Grant quitted the Ministry, and changes followed the same year—Mr. Peel, Earl of Aberdeen, and Sir George Murray, Home, Foreign and Colonial Secretaries. Viscount Melville and Vesey Fitzgerald, Boards of Control and Trade. Sir Henry Hardinge, Secretary at War, Viscount Lowther, First Commissioner of Land Revenues, May and June.]
 [The Duke of Clarence surrendered the office of Lord High Admiral, August 12; and Lord Melville became First Lord of the Admiralty, September 19. Lord Ellenborough became President of the Board of Control, and Lord Rosslyn Privy Seal.]

KING WILLIAM IV

1830. Duke of Wellington and his colleagues continued.
 [Wellington resigns nominally because defeated on Civil List question, but really on account of motion for Reform brought forward by Brougham.]
- Nov. Charles, Earl Grey : First Lord of the Treasury.
 Viscount Althorpe : Chancellor of the Exchequer.
 Marquis of Lansdowne : President of the Council.
 Earl of Durham : Privy Seal.
 Viscounts Melbourne, Palmerston, and Goderich : Home, Foreign, and Colonial Secretaries.
 Sir James Graham : First Lord of the Admiralty.
 Lord Auckland and Mr. Grant : Presidents of the Boards of Trade and Control.
 Lord Holland : Duchy of Lancaster.
 Lord John Russell : Paymaster of the Forces (not of the Cabinet at first).
 Duke of Richmond, Earl of Carlisle, Mr. Wynn, etc.
 Lord Brougham : Lord Chancellor.
 [Sir Henry Parnell afterwards became Secretary at War, vice Mr. Wynn; and subsequently Sir Henry Parnell was succeeded by Sir John Hobhouse.]
1832. [Earl Grey resigns, owing to a majority against him in the Lords on a question relating to the Reform Bill, May 10. Great public excitement prevails, and he resumes office May 18.]
 [The Earl of Ripon (late Viscount Goderich) succeeds the Earl of Durham as Lord Privy Seal, April 3, 1833; when also the Right Hon. E. G. S. Stanley (previously of the Cabinet as Secretary for Ireland) becomes Colonial Secretary, and Mr. Ellice Secretary at War.]
 [Grey resigns on account of the Littleton-Althorp-Wellesley-O'Connell incident in respect of Irish coercion.]
1834. William, Viscount Melbourne : First Minister.
 July. Marquis of Lansdowne : President of the Council.

- Earl of Mulgrave : Privy Seal.
 Viscount Althorpe : Chancellor of the Exchequer.
 Viscount Duncannon : Home Secretary.
 Viscount Palmerston : Foreign Secretary.
 Mr. Spring Rice : War and Colonies.
 Lord Auckland : Admiralty.
 Mr. Grant and C. P. Thompson : Boards of Control and Trade.
 Lord John Russell : Paymaster of the Forces.
 Sir John Hobhouse, Mr. Ellice, Marquis of Conyngham, Mr. Littleton, etc.
 Lord Brougham : Lord Chancellor.
 [Viscount Melbourne's administration dismissed by the King on account of their attacks upon the Irish Church and their general state of weakness. The Duke of Wellington asked to form a Ministry, but recommends Peel, and takes the helm of State provisionally, waiting the return of Peel from Italy, November 14.]
 1834. Sir Robert Peel : First Lord of the Treasury and Chancellor of the
 Nov. Exchequer.
 and Lord Wharcliffe : Privy Seal.
 Dec. Earl of Rosslyn : Lord President.
 Right Hon. Henry Goulburn, Duke of Wellington, and Earl of Aberdeen : Home, Foreign, and Colonial Secretaries.
 Earl de Grey : First Lord of the Admiralty.
 Lord Ellenborough and Right Hon. Alexander Baring (afterwards Lord Ashburton) : Boards of Control and Trade.
 Sir Edward Knatchbull : Paymaster of the Forces.
 Mr. Herries : Secretary at War.
 Sir George Murray : Master-General of the Ordnance.
 Lord Lyndhurst : Lord Chancellor.
 [Peel resigns, being defeated on Russell's resolution for the appropriation of the surplus revenues of the Irish Established Church to non-ecclesiastical purposes.]
 1835. Viscount Melbourne again Prime Minister.
 April. Marquis of Lansdowne : Lord President.
 Viscount Duncannon : Lord Privy Seal, with the Woods and Forests.
 Mr. Spring Rice : Chancellor of the Exchequer.
 Lord John Russell, Viscount Palmerston, and Lord Glenelg (late Mr. Charles Grant), Lowe : Foreign and Colonial Secretaries.
 Earl Minto : First Lord of the Admiralty.
 Sir John Hobhouse and Poulett Thomson : Presidents of the Boards of Control and Trade.
 Lord Holland : Duchy of Lancaster.
 Viscount Howick : Secretary at War.
 Sir Henry Parnell, Mr. Labouchere, Lord Morpeth, etc. : The Great Seal in Commission.
 [The Chancellorship was given to Sir Charles C. Pepys, January 1836, with the title of Lord Cottenham.]

QUEEN VICTORIA

1837. Viscount Melbourne and his colleagues continued.
 June [Right Hon. F. T. Baring afterwards becomes Chancellor of the
 20. Exchequer, vice Mr. Rice, created Lord Monteagle. The Marquis of Normanby (late Earl of Mulgrave) Home Secretary, vice Lord John Russell, made Colonial Secretary. T. B. Macaulay, Secretary at War, in the room of Viscount Howick. Earl of Clarendon, Lord Privy Seal, in room of Viscount Duncannon. Mr. Labouchere, President of the Board of Trade, vice C. Poulett Thomson.]

1839. [Ministers announce their determination to resign in consequence of the division in the Commons on their Jamaica Bill, in which they have a majority of only five, May 7. Sir Robert Peel receives the Queen's commands to form a new administration, May 8; but owing to the refusal of Her Majesty to dismiss the ladies of her household, on which Peel insisted, this command is withdrawn, and on May 10 Lord Melbourne and his friends return to power. Parliament dissolved on a vote of want of confidence being carried against ministers. Conservatives returned in a majority. Melbourne resigns on account of adverse vote on Government's fixed duty proposal in regard to corn.]
1841. Sir Robert Peel : First Lord of the Treasury and First Minister.
 Aug. Duke of Wellington, without civil office : Commander-in-Chief.
 and Lord Wharnccliffe : Lord President.
 Sept. Duke of Buckingham : Lord Privy Seal.
 Sir James Graham, Earl of Aberdeen, and Lord Stanley : Home, Foreign, and Colonial Secretaries.
 Mr. Goulburn : Chancellor of the Exchequer.
 Earl of Haddington : Admiralty.
 Earl of Ripon : Board of Trade.
 Lord Ellenborough : Board of Control.
 Sir Henry Hardinge, Sir Edward Knatchbull, Sir George Murray, etc.
 Lord Lyndhurst : Lord Chancellor.
- [1841 to 1846.—Among many succeeding changes were—Lord Fitzgerald and Vesey to the Board of Control, vice Lord Ellenborough appointed Governor-General of India, October 1841–6. Duke of Buccleuch, Lord Privy Seal, February 1842. Earl of Ripon, from the Board of Trade to the Board of Control, vice Lord Fitzgerald, deceased, May 1843. Sir Thomas Freemantle, Secretary at War, vice Sir Henry Hardinge, appointed Governor-General of India, May 1844. Earl of Dalhousie, to the Board of Trade, and Sidney Herbert, Secretary at War, February 1845. W. E. Gladstone, Colonial Secretary, vice Lord Stanley, who resigned. Duke of Buccleuch, Lord President, vice Lord Wharnccliffe, deceased. Earl of Haddington, Lord Privy Seal; and Earl of Ellenborough, Admiralty, January 1846.]
- [Peel resigns in 1845, as Stanley will not agree to his anti-Corn Law policy. Russell cannot form a ministry, so Peel is recalled. Peel resigns after the abolition of the Corn Laws on the defeat of the Irish Arms Bill.]
1846. Lord John Russell : First Lord of the Treasury and First Minister.
 July. Marquis of Lansdowne : Lord President.
 Earl of Minto : Lord Privy Seal.
 Sir George Grey, Viscount Palmerston, and Earl Grey : Home, Foreign, and Colonial Secretaries.
 Charles Wood : Chancellor of the Exchequer.
 Earl of Auckland : Admiralty.
 Sir John Hobhouse and Earl of Clarendon : Boards of Control and Trade.
 Lord Campbell : Duchy of Lancaster.
 Viscount Morpeth (afterwards Earl of Carlisle) : Woods and Forests.
 Marquis of Clanricarde, Mr. Macaulay, Mr. Labouchere, etc.
 Lord Cottenham : Lord Chancellor.
- [Changes 1847 to 1850—Mr. Labouchere to Board of Trade, vice Earl of Clarendon, appointed Lord-Lieutenant of Ireland, July 1847. Earl Granville, Paymaster-General, vice Mr. Macaulay, May 1848. Sir Francis Thornhill Baring, First Lord of the Admiralty, vice Earl of Auckland, deceased, January 1849. Mr. Fox Maule,

Secretary at War, to be of the Cabinet, November 1849. Earl of Carlisle from Woods and Forests to the Duchy of Lancaster, March 1850; and Sir Thomas Wylde, created Lord Truro, Lord Chancellor, vice Lord Cottenham, who resigned, and was created Earl of Cottenham July 1850.]

[Russell resigns, being defeated on an Opposition motion for the assimilation of the county and borough franchises. Neither Stanley nor Aberdeen can form a Ministry. He therefore resumes office. He resigns in 1852 on the defeat of the Bill for the Reorganization of the Militia.]

1852. Edward G., Earl of Derby : First Lord of the Treasury and First
Feb. Minister.

Earl of Lonsdale : Lord President of the Council.

Marquis of Salisbury : Lord Privy Seal.

Spencer Horatio Walpole : Home Secretary.

Earl of Malmesbury : Foreign Secretary.

Sir John S. Pakington, Bart. : War and Colonial Secretary.

Benjamin Disraeli : Chancellor of the Exchequer.

Duke of Northumberland : First Lord of the Admiralty.

John Charles Herries : President of the Board of Control.

Joseph Warner Henley : President of the Board of Trade.

Earl of Hardwicke : Postmaster-General.

Sir Edward B. Sugden (created Lord St. Leonards) : Lord Chancellor.

Lord John Manners : First Commissioner of Works.

[William Beresford appointed Secretary at War with seat in the Cabinet, February 28, 1852, vice R. V. Smith, who was not in the Cabinet.]

[Derby resigns as, Parliament having been dissolved and a Liberal majority returned, he is defeated on Disraeli's Budget.]

1852. George Hamilton, Earl of Aberdeen : First Lord of the Treasury and
Dec. Premier.

Earl Granville : Lord President of the Council.

Duke of Argyll : Lord Privy Seal.

Viscount Palmerston : Home Secretary.

Lord John Russell : Foreign Secretary.

Duke of Newcastle : War and Colonial Secretary.

Hon. Sidney Herbert : Secretary at War.

William Ewart Gladstone : Chancellor of the Exchequer.

Sir James R. G. Graham, Bart. : First Lord of the Admiralty.

Sir Charles Wood, Bart. : President of the Board of Control.

Sir William Molesworth, Bart. : First Commissioner of Works.

Lord Cranworth : Lord Chancellor.

Marquis of Lansdowne : without office.

[Changes—Earl of Clarendon appointed Foreign Secretary, February 21, 1853, vice Lord John Russell, who remained in the Cabinet without office. Secretaryship of State for War and Colonies divided June 12, 1854 : Duke of Newcastle appointed Secretary for War, Sir George Grey appointed Secretary for the Colonies. Earl Granville appointed Chancellor of the Duchy of Lancaster, June 21, 1854, vice E. Strutt, who was not in the Cabinet. Lord John Russell appointed Lord President of the Council, June 12, 1854, vice Earl Granville.]

[Aberdeen's Coalition Government of Whigs and Peelites defeated on Roebuck's motion for inquiry into the state of the army before Sebastopol. Derby fails to form a Ministry.]

1855. Henry John, Viscount Palmerston : First Lord of the Treasury and
Feb. Premier.

10. Earl Granville : Lord President of the Council.

- Duke of Argyll : Lord Privy Seal.
 Sidney Herbert : Home Secretary, February 8 (succeeded by Sir George Grey, Bart., February 28).
 Earl of Clarendon : Foreign Secretary.
 Sidney Herbert : Colonial Secretary.
 Lord Panmure : War Secretary.
 W. E. Gladstone : Chancellor of the Exchequer.
 Sir James R. G. Graham, Bart. : First Lord of the Admiralty.
 Sir Charles Wood, Bart. : President of the Board of Control.
 Lord Cranworth : Lord Chancellor.
 Earl of Harrowby : Chancellor of the Duchy of Lancaster (appointed March 1855).
 Sir William Molesworth, Bart : First Commissioner of Works.
 Viscount Canning : Postmaster-General.
 Marquis of Lansdowne : without office.
- [Changes—Sidney Herbert, W. E. Gladstone, and Sir J. R. G. Graham resigned February 22, 1855. Sir Charles Wood appointed First Lord of the Admiralty, March 3, 1855, vice Graham. Robert Vernon Smith appointed President of the Board of Control, March 13, 1855, vice Wood. Sir George C. Lewis, Bart., appointed Chancellor of the Exchequer, March 5, 1855, vice Gladstone. Lord John Russell appointed Colonial Secretary, vice Sidney Herbert. Sir William Molesworth appointed Colonial Secretary, July 21, 1855, vice Lord John Russell, resigned. Henry Labouchere appointed Colonial Secretary, November 21, 1855, vice Molesworth, deceased. Duke of Argyll appointed Postmaster-General, July 1855, vice Viscount Canning, appointed Governor-General of India. Earl of Harrowby appointed Lord Privy Seal, December 7, 1855, vice Duke of Argyll. Matthew Talbot Baines appointed Chancellor of the Duchy of Lancaster, December 7, 1855, vice Earl of Harrowby. Lord Stanley of Alderley, President of the Board of Trade, to be of the Cabinet, 1855. Marquis of Clanricarde appointed Lord Privy Seal, February 3, 1858, vice Earl of Harrowby, resigned.]
- [Palmerston resigns on Milner-Gibson's amendment to the "Conspiracy to Murder" Bill being carried.]
1858. Edward G., Earl of Derby : First Lord of the Treasury and Premier.
 Feb. Marquis of Salisbury : Lord President of the Council.
 25. Earl of Harwick : Lord Privy Seal.
 Spencer H. Walpole : Home Secretary.
 Earl of Malmesbury : Foreign Secretary.
 Lord Stanley : Colonial Secretary.
 Jonathan Peel : War Secretary.
 Benjamin Disraeli : Chancellor of the Exchequer.
 Sir John S. Pakington, Bart. : First Lord of the Admiralty.
 Earl of Ellenborough : President of the Board of Control.
 Joseph Warner Henley : President of the Board of Trade.
 Lord John Manners : First Commissioner of Works.
 Sir Frederick Thesiger (created Lord Chelmsford) : Lord Chancellor.
- [Changes—Earl of Donoughmore appointed President of the Board of Trade, February 1859, vice Henley. Lord Stanley appointed President of the Board of Control, June 5, 1858, vice Earl of Ellenborough. Sir Edward Bulwer-Lytton appointed Colonial Secretary, June 5, 1858, vice Lord Stanley. Board of Control abolished by 21 and 22 Vict. cap. 106, and Secretaryship of State for India created. Lord Stanley appointed first Secretary of State for India, September 2, 1858. F. H. S. Sotheron Estcourt appointed Home Secretary, March 3, 1859, vice Walpole resigned.]
- [Derby resigns, the Liberals having been returned in a majority, and

Hartington's Amendment to the Address having been carried.
Granville unable to form a Ministry.]

1859. Henry John, Viscount Palmerston : First Lord of the Treasury and
June Premier.

18. Earl Granville : Lord President of the Council.

Duke of Argyll : Lord Privy Seal.

Sir George Cornwall Lewis, Bart. : Home Secretary.

Lord John Russell (created Earl Russell 1861) : Foreign Secretary.

Duke of Newcastle : Colonial Secretary.

Sidney Herbert : War Secretary.

Sir Charles Wood, Bart. : India Secretary.

W. E. Gladstone : Chancellor of the Exchequer.

Duke of Somerset : First Lord of the Admiralty.

Thomas Milner Gibson : President of the Poor Law Board, and then
President of the Board of Trade.

Edward Cardwell : Irish Secretary.

James, Earl of Elgin : Postmaster-General.

Charles P. Villiers : President of the Poor Law Board, vice Gibson.

Lord Campbell : Lord Chancellor.

Sir George Grey, Bart. : Chancellor of the Duchy of Lancaster.

[Changes—Lord Stanley of Alderley appointed Postmaster-General,
August 17, 1860, vice Earl of Elgin, sent ambassador to China.
Sir Richard Bethell, appointed Lord Chancellor, and created Lord
Westbury, June 26, 1861, vice Lord Campbell, deceased. Sidney
Herbert resigned and created Lord Herbert of Lea, July 1861,
died August 2, 1861. Sir J. C. Lewis appointed Secretary for War,
July 23, 1861, vice Herbert. Sir George Grey appointed Home
Secretary July 25, 1861, vice Lewis. Edward Cardwell appointed
Chancellor of the Duchy of Lancaster, July 25, 1861, vice Grey.
Sir Robert Peel appointed Irish Secretary (without seat in Cabinet),
July 1861, vice Cardwell. Earl de Grey and Ripon appointed
Secretary for War, April 28, 1863, vice Lewis, deceased. Edward
Cardwell appointed Colonial Secretary, April 7, 1864, vice Duke of
Newcastle, resigned. Earl of Clarendon appointed Chancellor
of the Duchy of Lancaster, April 7, 1864, vice Cardwell. Lord
Cranworth appointed Lord Chancellor, July 7, 1865, vice Lord
Westbury, resigned.]

Death of Palmerston.

1865. John, Earl Russell : First Lord of the Treasury and Premier.

Nov. Earl Granville : Lord President of the Council.

6. Duke of Argyll : Lord Privy Seal.

Sir George Grey : Home Secretary.

Earl of Clarendon : Foreign Secretary.

Edward Cardwell : Colonial Secretary.

Earl de Grey and Ripon : War Secretary.

Sir Charles Wood : India Secretary.

W. E. Gladstone : Chancellor of the Exchequer.

Duke of Somerset : First Lord of the Admiralty.

Thomas Milner Gibson : President of the Board of Trade.

Charles Pelham Villiers : President of the Poor Law Board.

Lord Stanley of Alderley : Postmaster-General.

Lord Cranworth : Lord Chancellor.

George Joachim Goschen : Chancellor of the Duchy of Lancaster
(appointed January 1886).

[Changes—Earl de Grey and Ripon appointed India Secretary, Feb-
ruary 16, 1866, vice Sir Charles Wood, resigned, and created
Viscount Halifax. Marquis of Hartington appointed Secretary for
War, February 16, 1866, vice Earl de Grey and Ripon.]

- [Russell resigns, being defeated on amendment to the Reform Bill.]
1866. Edward G., Earl of Derby : First Lord of the Treasury and Premier.
 July. Duke of Buckingham and Chandos : Lord President of the Council.
 Earl of Malmesbury : Lord Privy Seal.
 Spencer H. Walpole : Home Secretary.
 Lord Stanley : Foreign Secretary.
 Earl of Carnarvon : Colonial Secretary.
 Jonathan Peel : War Secretary.
 Viscount Cranborne : India Secretary.
 Benjamin Disraeli : Chancellor of the Exchequer.
 Sir J. S. Pakington : First Lord of the Admiralty.
 Sir Stafford Henry Northcote, Bart. : President Board of Trade.
 Gathorne Hardy : President of the Poor Law Board.
 Lord Chelmsford : Lord Chancellor.
 Lord Naas (afterwards Earl of Mayo) : Irish Secretary.
 Lord John Manners : First Commissioner of Works.
- [Changes—Earl of Carnarvon, General Peel, and Lord Cranborne resigned, March 1867. Duke of Buckingham and Chandos appointed Colonial Secretary, March 8, 1867, vice Earl of Carnarvon. Duke of Marlborough appointed Lord President of the Council, March 8, 1867, vice Duke of Buckingham. Sir J. S. Pakington appointed Secretary for War, March 8, 1867, vice Peel. Henry Thomas Lowry Corry appointed First Lord of the Admiralty, March 8, 1867, vice Pakington. Sir Stafford Henry Northcote appointed Secretary for India, March 8, 1867, vice Lord Cranborne. Duke of Richmond appointed President of the Board of Trade, March 8, 1867, vice Northcote. Gathorne Hardy appointed Home Secretary, May 7, 1867, vice Walpole, resigned. Earl of Devon appointed President Poor Law Board (without seat in Cabinet), May 17, 1867, vice Derby.
- Earl of Derby resigned through ill-health, February 1868, and died October 23, 1869.]
1868. Benjamin Disraeli : First Lord of the Treasury and Premier.
 Feb. Duke of Marlborough : Lord President of the Council.
 Earl of Malmesbury : Lord Privy Seal.
 Gathorne Hardy : Home Secretary.
 Lord Stanley : Foreign Secretary.
 Duke of Buckingham and Chandos : Colonial Secretary.
 Sir J. S. Pakington : War Secretary.
 Sir Stafford Henry Northcote : India Secretary.
 George Ward Hunt : Chancellor of the Exchequer.
 Henry Thomas Lowry Corry : First Lord of the Admiralty.
 Duke of Richmond : President of the Board of Trade.
 Earl of Mayo : Irish Secretary (resigned September 1868, and succeeded by Colonel John Wilson Patten, not in Cabinet).
 Lord John Manners : First Commissioner of Works.
 Lord Cairns : Lord Chancellor.
- [Disraeli resigns, not being returned with a majority at the General Election on account of Gladstone's Irish Disestablishment policy.]
1868. William Ewart Gladstone : First Lord of the Treasury and Premier.
 Dec. Earl de Grey and Ripon : Lord President of the Council.
 Earl of Kimberley : Lord Privy Seal.
 Henry Austin Bruce : Home Secretary.
 Earl of Clarendon : Foreign Secretary.
 Earl Granville : Colonial Secretary.
 Edward Cardwell : War Secretary.
 Duke of Argyll : India Secretary.
 Robert Lowe : Chancellor of the Exchequer.

Hugh C. E. Childers : First Lord of the Admiralty.

John Bright : President of the Board of Trade.

Chichester S. Fortescue : Irish Secretary.

Marquis of Hartington : Postmaster-General.

George Joachim Goschen : President Poor Law Board.

Sir William Page Wood (created Lord Hatherley) : Lord Chancellor.

[Changes—W. E. Forster, Vice-President Education, brought into the Cabinet, July 1870. Earl Granville appointed Foreign Secretary, July 6, 1870, vice Earl of Clarendon, deceased. Earl of Kimberley appointed Colonial Secretary, July 6, 1870, vice Earl Granville. Viscount Halifax appointed Lord Privy Seal, July 6, 1870, vice Kimberley. Chichester S. Fortescue appointed President of Board of Trade, January 14, 1871, vice Bright, resigned. Marquis of Hartington appointed Irish Secretary, January 1871, vice Fortescue. William Monsell appointed Postmaster-General, January 9, 1871, vice Hartington, but without seat in Cabinet. George Joachim Goschen, First Lord of the Admiralty, March 9, 1871, vice Childers, resigned. James Stansfeld appointed President Local Government Board, August 1871. Hugh C. E. Childers, Chancellor Duchy of Lancaster, August 9, 1872, vice Lord Dufferin, who was not in Cabinet. Sir Roundell Palmer appointed Lord Chancellor and created Lord Selborne, October 15, 1872, vice Lord Hatherley, resigned. H. A. Bruce, Lord President of the Council, August 9, 1873, and created Lord Aberdare, vice Earl de Grey and Ripon, resigned. Robert Lowe, Home Secretary, August 9, 1873, vice Bruce. W. E. Gladstone, Chancellor of the Exchequer, vice Lowe, August 9, 1873, and held the office jointly with that of First Lord of the Treasury and Premiership. John Bright, Chancellor of the Duchy of Lancaster, September 30, 1873, vice Childers, resigned.]

[Gladstone resigns on defeat of Irish University Bill. Disraeli cannot form a Ministry. Gladstone resumes office, and then dissolves. On return of Conservative majority he resigns.]

1874. Benjamin Disraeli : First Lord of the Treasury and Premier.

Feb. Duke of Richmond : Lord President of the Council.

Earl of Malmesbury : Lord Privy Seal.

Richard Assheton Cross : Home Secretary.

Earl of Derby : Foreign Secretary.

Earl of Carnarvon : Colonial Secretary.

Gathorne Hardy : War Secretary.

Marquis of Salisbury : India Secretary.

Sir Stafford Henry Northcote : Chancellor of the Exchequer.

George Ward Hunt : First Lord of the Admiralty.

Lord John Manners : Postmaster-General.

Lord Cairns (created Earl Cairns, September 23, 1878) : Lord Chancellor.

[Changes—B. Disraeli, afterwards Earl of Beaconsfield, Lord Privy Seal, vice Earl of Malmesbury, August 12, 1876, and held the office jointly with that of First Lord of the Treasury and Premiership. Sir Michael E. Hicks-Beach, Bart., Irish Secretary, to be of the Cabinet, February 1877. William Henry Smith, First Lord of the Admiralty, August 14, 1877, vice Hunt, deceased. Duke of Northumberland, Lord Privy Seal, February 4, 1878, vice Earl of Beaconsfield, resigned. Hicks-Beach, Colonial Secretary, February 4, 1878, vice Earl of Carnarvon, resigned. James Lowther, Irish Secretary, without seat in Cabinet, February 1878, vice Hicks-Beach. Marquis of Salisbury, Foreign Secretary, April 2, 1878, vice Earl of Derby, resigned. Gathorne Hardy, India Secretary, April 2, 1878 (created Viscount Cranbrook, May 3, 1878), vice

- Salisbury. Colonel Frederick Arthur Stanley, Secretary for War, April 2, 1878, vice Hardy. Viscount Sandon, President Board of Trade, with seat in Cabinet, April 4, 1878, vice Adderley.]
- [Disraeli dissolves, and the Liberals are returned with a majority.]
1880. William Ewart Gladstone : First Lord of the Treasury, Chancellor of April the Exchequer, and Premier.
28. Earl Spencer, Lord President of the Council.
 Duke of Argyll : Lord Privy Seal.
 William G. G. Vernon Harcourt : Home Secretary.
 Earl Granville : Foreign Secretary.
 Earl of Kimberley : Colonial Secretary.
 Hugh C. E. Childers : War Secretary.
 Marquis of Hartington : India Secretary.
 Earl of Northbrook : First Lord of the Admiralty.
 Joseph Chamberlain : President Board of Trade.
 John George Dodson : President Local Government Board.
 William Edward Forster : Irish Secretary.
 Lord Selborne : Lord Chancellor (created Earl Selborne, December 29, 1881).
 John Bright : Chancellor Duchy of Lancaster.
- [Changes—Lord Carlingford, Lord Privy Seal, May 2, 1881, vice Duke of Argyll, resigned. Earl Spencer, Lord-Lieutenant of Ireland, April 28, 1882, vice Earl Cowper, who was not in Cabinet. Lord Frederick Charles Cavendish, Irish Secretary, without seat in Cabinet, May 1882 (assassinated May 6, 1882), vice Forster, resigned. George Otto Trevelyan, Irish Secretary, without seat in Cabinet, May 9, 1882, vice Cavendish. Earl of Kimberley, Chancellor Duchy of Lancaster, July 25, 1882, vice Bright, resigned. H. C. E. Childers, Chancellor of the Exchequer, December 16, 1882, vice Gladstone, resigned. Marquis of Hartington, War Secretary, December 16, 1882, vice Childers. Kimberley, India Secretary, December 16, 1882, vice Hartington. Derby, Colonial Secretary, December 16, 1882, vice Kimberley. J. G. Dodson, Chancellor Duchy of Lancaster, December 28, 1882, vice Kimberley. Sir Charles Wentworth Dilke, Bart., President Local Government Board, December 28, 1882, vice Dodson. Lord Carlingford, Lord President of the Council, March 19, 1883, vice Spencer, resigned. G. O. Trevelyan, Chancellor Duchy of Lancaster, October 29, 1884, vice Dodson, resigned. Henry Campbell-Bannerman, Irish Secretary, without seat in Cabinet, October 20, 1884, vice Trevelyan. G. J. Shaw-Lefevre (appointed Postmaster-General, without seat in Cabinet), vice Fawcett, deceased (also not in Cabinet), to be of Cabinet, February 1885. Earl of Rosebery, First Commissioner of Works, February 1885, vice Shaw-Lefevre. Earl of Rosebery, Lord Privy Seal, March 5, 1885, vice Carlingford, resigned.]
- [Gladstone defeated by a Budget amendment of Hicks-Beach.]
1885. Robert Arthur Talbot, Marquis of Salisbury : Foreign Secretary and June. Premier.
 Sir Stafford Henry Northcote (created Earl of Iddesleigh) : First Lord of the Treasury.
 Viscount Cranbrook : Lord President of the Council.
 Earl of Harrowby : Lord Privy Seal.
 Sir Richard Assheton Cross : Home Secretary.
 Sir Frederick A. Stanley : Colonial Secretary.
 William Henry Smith : War Secretary.
 Lord Randolph H. S. Churchill : India Secretary.
 Sir M. E. Hicks-Beach : Chancellor of the Exchequer.

- Lord George F. Hamilton : First Lord of the Admiralty.
 Duke of Richmond and Gordon : President Board of Trade.
 Earl of Carnarvon : Lord-Lieutenant of Ireland.
 Lord John S. R. Manners : Postmaster-General.
 Hon. E. Stanhope : Vice-President Education.
 Sir H. S. Giffard (created Lord Halsbury) : Lord Chancellor.
 Lord Ashbourne : Lord Chancellor of Ireland.
 [Changes—Hon. Edward Stanhope, President Board of Trade, August 19, 1885, vice Duke of Richmond and Gordon, appointed Secretary for Scotland. W. H. Smith, Irish Secretary, January 25, 1886, vice Sir W. Hart-Dyke, who was not in Cabinet.]
 [Salisbury defeated on amendment to Address by Jesse Collings.]
1886. William Ewart Gladstone : First Lord of the Treasury, Lord Privy
 Feb. Seal, and Premier.
 Earl Spencer : Lord President of the Council.
 Hugh C. E. Childers : Home Secretary.
 Earl of Rosebery : Foreign Secretary.
 Earl Granville : Colonial Secretary.
 Henry Campbell-Bannerman : War Secretary.
 Earl of Kimberley : India Secretary.
 G. O. Trevelyan : Secretary for Scotland.
 Sir William G. G. V. Harcourt : Chancellor of the Exchequer.
 Marquis of Ripon : First Lord of the Admiralty.
 Anthony John Mundella : President Board of Trade.
 Joseph Chamberlain : President Local Government Board.
 John Morley : Irish Secretary.
 Sir Farrer Herschell (created Lord Herschell) : Lord Chancellor.
 [Changes—Earl of Dalhousie appointed Secretary for Scotland without seat in Cabinet, April 3, 1886, vice Trevelyan, resigned. James Stansfeld, President Local Government Board, April 3, 1886, vice Chamberlain, resigned.]
 [Gladstone defeated on first Home Rule Bill, and returned with a minority at General Election.]
1886. Robert Arthur Talbot, Marquis of Salisbury : First Lord of the
 Aug. Treasury and Premier.
 3. Viscount Cranbrook : Lord President of the Council.
 Henry Matthews : Home Secretary.
 Earl of Iddesleigh : Foreign Secretary.
 Hon. Edward Stanhope : Colonial Secretary.
 William Henry Smith : War Secretary.
 Sir Richard Assheton Cross (created Viscount Cross, August 8, 1886) :
 India Secretary.
 Lord Randolph H. S. Churchill : Chancellor of the Exchequer.
 Lord George F. Hamilton : First Lord of the Admiralty.
 Sir Frederick Arthur Stanley (created Lord Stanley of Preston, August 6, 1886) : President Board of Trade.
 Sir M. E. Hicks-Beach : Irish Secretary.
 Lord Halsbury : Lord Chancellor.
 Viscount Cranbrook (*pro tem.*) and then Lord John Manners :
 Chancellor of Duchy of Lancaster.
 Lord Ashbourne : Lord Chancellor of Ireland.
 [Changes—Arthur James Balfour, Secretary for Scotland, brought into Cabinet, November 1886. Marquis of Salisbury, Foreign Secretary, January 14, 1887, vice Earl of Iddesleigh, resigned, the Marquis retaining the Premiership. W. H. Smith, First Lord of the Treasury, January 14, 1887, vice Salisbury. Hon. Edward Stanhope, War Secretary, January 14, 1887, vice Smith. Sir Henry Thurstan Holland (created Lord Knutsford, February 27,

1888), Colonial Secretary, January 14, 1887, vice Stanhope. George Joachim Goschen, Chancellor of the Exchequer, vice Lord R. Churchill, resigned. Arthur James Balfour, Irish Secretary, March 8, 1887, vice Hicks-Beach, who resigned, but remained in the Cabinet without office. Marquis of Lothian, Secretary for Scotland, March 11, 1887, vice Balfour. Earl Cadogan, Lord Privy Seal, and C. T. Ritchie, President Local Government Board, brought into Cabinet, May 1887. Sir M. Hicks-Beach retired from the Cabinet, January 1888, but rejoined it in the following month as President Board of Trade, vice Stanley of Preston, appointed Governor-General of Canada.]

[Liberals returned at General Election.]

1892. William Ewart Gladstone : First Lord of the Treasury, Lord Privy Seal, and Premier.

15. Earl of Kimberley : Lord President of the Council and Secretary for India.

Herbert Henry Asquith : Home Secretary.

Earl of Rosebery : Foreign Secretary.

Henry Campbell-Bannerman : War Secretary.

Marquis of Ripon : Colonial Secretary.

John Morley : Chief Secretary for Ireland.

Sir William Vernon Harcourt : Chancellor of the Exchequer.

James Bryce : Chancellor of the Duchy of Lancaster.

Sir George Otto Trevelyan, Bart. : Secretary for Scotland.

Earl Spencer : First Lord of the Admiralty.

Anthony John Mundella : President Board of Trade.

Henry Hartley Fowler : President Local Government Board.

Arthur Herbert Dyke Acland : Vice-President Education.

George John Shaw-Lefevre : First Commissioner of Works.

Arnold Morley : Postmaster-General.

Lord Herschell : Lord Chancellor.

[Gladstone resigns the reins to Lord Rosebery, 1894.]

APPENDIX II

SPEAKERS OF THE HOUSE OF COMMONS AT WESTMINSTER IN THE EIGHTEENTH AND NINETEENTH CENTURIES

QUEEN ANNE

1702. Robert Harley, New Radnor.

1705. John Smith, Andover, Hampshire.

(British Parliament after the Union with Scotland.)

1707. John Smith, Andover, Hampshire.

1708. Sir Richard Onslow, Bart., Surrey.

1710. William Bromley, Oxford University.

1713. Sir Thomas Hanmer, Bart., Suffolk.

KING GEORGE I

1714 }
& } Hon. Spencer Compton, Sussex.
1722. }

KING GEORGE II

1727. }
 1734. } Arthur Onslow, Surrey.
 1741. }
 1747. }
 1754. }

(His Speakership thus embraced a period of 33 years.)

KING GEORGE III

1761. Sir John Cust, Bart., Grantham, Lincolnshire.
 1768. Sir John Cust, again. He resigned on account of ill-health, January 17, 1770, and on the 23rd of the same month the Commons elected Sir Fletcher Norton, Knt., Guildford, Surrey.
 1770. Sir Fletcher Norton, Knt., Guildford, Surrey.
 1774. Sir Fletcher Norton, again.
 1780. Charles Wolfran Cornwall, Winchelsea, Sussex.
 1784. Charles Wolfran Cornwall, now of Rye. (Died January 2, 1789.)
 1789. William Wyndham Grenville (afterwards Lord Grenville), Bucks, elected January 5 ; resigned June 5 following.
 1789. Right Hon. Henry Addington, Devizes, elected June 8.
 1790. H. Addington, rechosen, November 25.
 1796. H. Addington, re-elected, September 27.
 (After the Union of Great Britain and Ireland.)
 1801. Right Hon. Henry Addington, January 22.
 (Resigned February 10, and became First Lord of the Treasury and Chancellor of the Exchequer March following ; created Viscount Sidmouth, January 1805.)
 1801. Sir John Mitford, Knt., Beeralston, February 11.
 (Resigned February 9, 1802, on being elevated to the Peerage as Baron Redesdale, and made Lord Chancellor of Ireland.)
 1802. Right Hon. Charles Abbot, Helston, Cornwall, February 10.
 1802. C. Abbot, again, November 16.
 1806. C. Abbot, again, December 15.
 1807. C. Abbot, again, June 22.
 1812. C. Abbot, again, November 24. (Retired and was created Lord Colchester, June 1817.)
 1817. Right Hon. Charles Manners Sutton, Scarborough, June 2.
 1819. Manners Sutton, rechosen, January 15.

KING GEORGE IV

1820. Manners Sutton, again, April 22.
 1826. Manners Sutton, again, November 15.

KING WILLIAM IV

1830. Manners Sutton, again, October 26.
 1831. Manners Sutton, again, June 14.
 1833. Sir Charles Manners Sutton, now representing Cambridge University, chosen a seventh time, January 29.
 1835. Right. Hon. James Abercromby, Edinburgh city, February 19.

QUEEN VICTORIA

1837. Abercromby, again, November 15. (Raised to the Peerage, by the title of Baron Dunfermline, June 7, 1839.)

1839. Right Hon. Charles Shaw-Lefevre, Hampshire, Northern Division, May 27.
 1841. Charles Shaw-Lefevre, again, August 19.
 1847. Charles Shaw-Lefevre, again, November 18.
 1852. Charles Shaw-Lefevre, again, November 4. (Retired and created Viscount Eversley, April 11, 1857.)
 1857. John Evelyn Denison, Notts., N. Division, April 30.
 1859. J. E. Denison, again, May 31.
 1866. J. E. Denison, again, February 1.
 1868. J. E. Denison, again, December 10. (Retired and created Viscount Ossington, February 13, 1872.)
 1872. Henry Bouverie William Brand, Cambridgeshire, February 9.
 1874. H. B. W. Brand, again, March 5.
 1880. H. B. W. Brand, again, April 29. (Made G.C.B., September 20, 1881. Retired and created Viscount Hampden, March 3, 1884.)
 1884. Arthur Wellesley Peel, Warwick, February 26.
 1886. A. W. Peel, again, Warwick and Leamington, January 12.
 1886. A. W. Peel, again, August 5.

APPENDIX III

LORD-LIEUTENANTS AND CHIEF GOVERNORS OF IRELAND IN THE EIGHTEENTH AND NINETEENTH CENTURIES

N.B.—L.L. = Lord-Lieutenant; L.J. = Lord Justice; L.C. = Lord Chancellor.

1702. Hugh, Earl of Mount Alexander; Thomas Earl, Lieutenant-General; and Thomas Keightley, L.J.
 1703. James, Duke of Ormond, L.L.
 1703. Sir Richard Cox, Bart., L.C.; Hugh, Earl of Mount Alexander; and Thomas Earl, Lieutenant-General, L.J.
 1704. James, Duke of Ormond, returned L.L.
 1705. Sir Richard Cox, L.C.; and John, Lord Cutts, of Gowran, Lieutenant-General, L.J.
 1707. Narcissus, at this time Archbishop of Armagh; and Sir Richard Cox, L.C., on the death of Lord Cutts, L.J.
 1707. Thomas Herbert, Earl of Pembroke, L.L.
 1707. Narcissus, Archbishop of Armagh; and Richard Freeman, L.C., L.J.
 1709. Thomas, Earl of Wharton, L.L.
 1709. Richard Freeman, L.C.; and Richard Ingoldsby, Lieutenant-General, L.J.
 1710. Thomas, Earl of Wharton, returned L.L.
 1710. Richard Freeman, L.C., and Richard Ingoldsby, L.J.
 1710. James, Duke of Ormond, L.L.
 1710. Narcissus, Archbishop of Armagh, and Richard Ingoldsby, L.J.
 1711. Sir Constantine Phipps, L.C., and Richard Ingoldsby, L.J.
 1711. James, Duke of Ormond, returned, L.L.
 1711. Sir Constantine Phipps, L.C., and Richard Ingoldsby, L.J.
 1712. Sir Constantine Phipps, L.C., and John Vesey, Archbishop of Tuam, on Ingoldsby's death, L.J.
 1713. Charles Talbot, Duke of Shrewsbury, L.L.

1714. Thomas Lindsay, Archbishop of Armagh ; John, Archbishop of Tuam ; and Sir Constantine Phipps, L.J.

KING GEORGE I

1714. William King, Archbishop of Dublin ; John, Archbishop of Tuam ; and Robert, Earl of Kildare, L.J.
 1714. Charles Speacer, Earl of Sunderland, L.L. (He never came over.)
 1715. Charles, Duke of Grafton, and Henry, Earl of Galway, L.J.
 1716. Charles, Viscount Townshend, L.L. (He never came over.)
 1717. Alan, Lord Broderick, afterwards Viscount Midleton, L.C. ; William, Archbishop of Dublin ; and William Conolly, Speaker of the House of Commons, L.J.
 1717. Charles Poulett, Duke of Bolton, L.L.
 1718. Alan, Viscount Midleton, L.C. ; William, Archbishop of Dublin ; and William Conolly, Speaker of the House of Commons, L.J., May 22.
 1719. Charles, Duke of Bolton, returned L.L., March 31.
 1719. Alan, Viscount Midleton, and William Conolly, Speaker, L.J., November 20.
 1721. Charles, Duke of Grafton, L.L., August 28.
 1722. William, Archbishop of Dublin ; Richard, Viscount Shannon, General ; and William Conolly, Speaker, L.J., February 24.
 1723. Lord Chancellor Midleton ; William, Archbishop of Dublin ; Richard, Viscount Shannon ; and William Conolly, Speaker, L.J., June 13.
 1723. The Duke of Grafton, returned L.L., August 13.
 1724. Lord Chancellor Midleton ; Richard, Viscount Shannon ; and William Conolly, Speaker, L.J., May 9.
 1724. John, Lord Carteret (afterwards Earl Granville), L.L., October 22.
 1726. Hugh Boulter, Archbishop of Armagh ; Richard West, L.C. ; and William Conolly, Speaker, L.J., April 2.
 1726. Hugh, Archbishop of Armagh ; Thomas Wyndham, L.C. ; and William Conolly, Speaker, L.J., December 23.

KING GEORGE II

1727. John, Lord Carteret, by a new commission, L.L., November 19.
 1728. The same Lords Justices, May 15.
 1729. Lord Carteret, returned September 13.
 1730. The same Lords Justices, April 22.
 1731. Lionel Cranfield Sackville, Duke of Dorset, L.L., September 11.
 1732. Hugh, Archbishop of Armagh ; Thomas, Lord Wyndham, L.C. ; and Sir Ralph Gore, Speaker, L.J., April 24.
 1733. [Sir Ralph Gore died in the Government ; and Henry Boyle, the new Speaker, became Lord Justice in his room.]
 1733. The Duke of Dorset, returned September 24.
 1734. Hugh, Archbishop of Armagh ; Lord Chancellor Wyndham ; and Henry Boyle, Speaker, L.J., May 3.
 1735. The Duke of Dorset, returned September 26.
 1736. The same Lords Justices, May 19.
 1737. William, Duke of Devonshire, L.L., September 7.
 1738. The same Lords Justices, March 28.
 1739. The Duke of Devonshire, returned September 27.
 1740. Hugh, Archbishop of Armagh ; Robert Jocelyn, L.C. ; and Henry Boyle, Speaker, L.J., April 18.
 1741. The Duke of Devonshire, returned September 23.
 1742. John Hoadly, Archbishop of Armagh ; Robert Jocelyn, L.C. ; and Henry Boyle, Speaker, L.J., December 3.
 1743. The Duke of Devonshire, returned September 29.

1744. John, Archbishop of Armagh ; Robert Jocelyn, now Lord Newport, L.C. ; and Henry Boyle, Speaker, L.J., April 12.
 1745. Philip Dormer Stanhope, Earl of Chesterfield, L.L., August 31.
 1746. The same Lords Justices, April 25.
 [The Lord Primate died in the Government.]
 1747. George Stone, Lord Primate ; Lord Newport, L.C. ; and Henry Boyle, Speaker, L.J., April 10.
 1747. William, Earl of Harrington, L.L., September 13.
 1748. The same Lords Justices, April 20.
 1749. The Earl of Harrington, returned September 20.
 1750. The same Lords Justices, April 19.
 1751. Lionel, Duke of Dorset, appointed a second time, L.L., September 19.
 1752. The same Lords Justices, May 27.
 1753. The Duke of Dorset, returned September 21.
 1754. George, Archbishop of Armagh ; Robert, Lord Newport, L.C. ; and Brabazon, Earl of Bessborough, L.J., May 11.
 1755. William, Marquis of Hartington ; succeeded as Duke of Devonshire, L.L., May 5.
 1756. Robert, now Viscount Jocelyn, L.C. ; James, Earl of Kildare ; and Brabazon, Earl of Bessborough, L.J. ; the three, or any two or one of them, to act separately, September 20.
 1757. John, Duke of Bedford, L.L., September 25.
 1758. George, Archbishop of Armagh ; Henry, Earl of Shannon ; and John Ponsonby, Speaker of the House of Commons, L.J., May 10.
 1759. John, Duke of Bedford, returned L.L.
 1760. The same Lords Justices, May 20.

KING GEORGE III

1760. The same Lords Justices continued.
 1761. George Dunk, Earl of Halifax, L.L., October 6.
 1762. The same Lords Justices, May 3.
 1763. Hugh, Earl of Northumberland, L.L., September 22.
 1764. The same Lords Justices, May 15.
 [The Archbishop of Armagh died December 19, and Lord Shannon December 28, 1764.]
 1765. Thomas, Viscount Weymouth, L.L. (Did not come over.)
 1765. John, Lord Bowes, L.C., and John Ponsonby, Speaker, L.J.
 1765. Francis Seymour, Earl of Hertford, L.L., October 18.
 1766. John, Lord Bowes, L.C. ; Charles, Earl of Drogheda ; and John Ponsonby, Speaker, L.J., June 11.
 1766. William George, Earl of Bristol, L.L. (He did not come over.)
 1766. The same Lords Justices.
 1767. George, Viscount Townshend, L.L., October 14.
 1772. Simon, Earl Harcourt, L.L., November 30.
 [On leaving Ireland he retired to his seat, Nuneham, Oxfordshire, and was shortly afterwards accidentally drowned in a well in his own park.]
 1777. John, Earl of Buckinghamshire, L.L., January 25.
 1780. Frederick, Earl of Carlisle, L.L., December 23.
 1782. William Henry Cavendish Bentinck, Duke of Portland, L.L., April 14.
 1782. George Grenville Nugent Temple, Earl Temple, L.L., September 15.
 1783. Robert Henley, Earl of Northington, L.L., June 3.
 1784. Charles Manners, Duke of Rutland, L.L., February 24. (Died in the Government, October 22, 1787.)
 1787. Richard, Archbishop of Armagh ; James, Viscount Lifford, L.C. ; and Right Hon. John Foster, Speaker, L.J., October 27.

- 1787. George Grenville Nugent Temple, now Marquis of Buckingham, again L.L., November 2.
- 1789. John, Lord Fitzgibbon, L.C.; and Right Hon. John Foster, Speaker, L.J., June 30.
- 1790. John Fane, Earl of Westmoreland, L.L., January 5.
- 1794. William Wentworth, Earl Fitzwilliam, L.L., December 10. (He was recalled the March following.)
- 1795. John Jeffreys Pratt, Earl Camden, L.L., March 11.
- 1798. Charles, Marquis Cornwallis, L.L., June 13.

LORD-LIEUTENANTS (SINCE THE UNION)

- 1801. Philip Yorke, Earl of Hardwicke, March 17.
- 1805. Edward, Earl Powis: appointed November 16. (Did not come over.)
- 1806. John, Duke of Bedford, March 18.
- 1807. Charles, Duke of Richmond, April 19.
- 1813. Charles, Viscount (afterwards Earl Whitworth), August 26.
- 1817. Charles Chetwynd, Earl Talbot, October 9.

KING GEORGE IV

- 1820. Earl Talbot continued.
- 1821. The King, in person. (Landed in Dublin August 12; left Ireland September 5.)
- 1821. Earl Talbot resumed.
- 1821. Richard Colley Wellesley, Marquis Wellesley, December 29.
- 1828. Henry William, Marquis of Anglesey, March 1.
- 1829. Hugh, Duke of Northumberland, March 6.

KING WILLIAM IV

- 1830. Henry William, Marquis of Anglesey, second time, December 23.
- 1833. Richard, Marquis Wellesley, second time, September 26.
- 1834. Thomas, Earl of Haddington, December 29, sworn January 6, 1835.
- 1835. Henry Constantine, Earl of Mulgrave (afterwards Marquis of Normanby), April 23, sworn May 11.

QUEEN VICTORIA.

- 1837. Earl of Mulgrave continued.
- 1839. Hugh, Viscount Ebrington, April 3. (Succeeded his father as Earl Fortescue in June 1841.)
- 1841. Thomas Philip, Earl de Grey, September 15.
- 1844. William, Lord Heytesbury, July 26.
- 1846. John William, Earl of Bessborough, July 11. (Died in the Government, May 16, 1847.)
- 1847. George William Frederick, Earl of Clarendon, May 26.
- 1852. Archibald William, Earl of Eglinton, February 27.
- 1853. Edward Granville, Earl of St. Germans, January 4.
- 1855. George William Frederick, Earl of Carlisle, February 28.
- 1858. Archibald William, Earl of Eglinton, again, February 26.
- 1859. George William Frederick, Earl of Carlisle, again, June 18.
- 1864. John, Lord Wodehouse (afterwards Earl of Kimberley), November 1.
- 1866. James, Marquis, afterwards Duke, of Abercorn, July 6.
- 1868. John Poyntz, Earl Spencer, December 11.
- 1874. James, Duke of Abercorn, again, March 2.
- 1876. John Winston, Duke of Marlborough, November 28.
- 1880. Francis Thomas De Grey, Earl Cowper, May 3.

- 1882. John Poyntz, Earl Spencer, again, May 3.
- 1885. Henry Howard Molyneux, Earl of Carnarvon, July.
- 1886. John Campbell, Earl of Aberdeen, February 6.
- 1886. Charles Stewart, Marquis of Londonderry, August 3.
Marquis of Zetland.
- 1892. Lord Houghton, afterwards Earl of Crewe, August 18.

APPENDIX IV

CHIEF SECRETARIES TO THE LORD-LIEUTENANT, CHIEF SECRETARIES FOR IRELAND, AND UNDER- SECRETARIES, 1760-1893

(CHIEF SECRETARIES)

- 1760. Richard Rigby ; before this date.
- 1761. William Gerard Hamilton.
- 1764. Charles, Earl of Drogheda.
- 1765. Edward Thurlow, appointed Chief Secretary to Viscount Weymouth
(but Weymouth did not come over).
- 1765. Francis, Viscount Beauchamp.
- 1766. Hon. John Augustus Hervey, appointed Chief Secretary to the Earl of
Bristol (but Bristol did not come over).
- 1767. Lord Frederick Campbell.
- 1768. Sir George Macartney, K.B.
- 1772. Sir John Blaquiere (afterwards Lord de Blaquiere).
- 1777. Sir Richard Heron, Bart.
- 1780. William Eden (afterwards Lord Auckland).
- 1782. Hon. Richard Fitzpatrick.
- 1782. William Wyndham Grenville (afterwards Lord Grenville).
- 1783. William Windham.
- 1783. Hon. Thomas Pelham.
- 1784. Thomas Orde.
- 1787. Alleyne Fitzherbert (afterwards Lord St. Helen's).
- 1789. Robert Hobart, April (afterwards succeeded as Earl of
Buckinghamshire).
- 1794. Sylvester Douglas, January (afterwards Lord Glenbervie).
- 1795. Hon. George Damer, Viscount Milton, January (afterwards Earl of
Dorchester).
- 1795. Hon. Thomas Pelham, March 31 (afterwards Earl of Chichester).
- 1798. Robert, Viscount Castlereagh, March 29 (afterwards Marquis of
Londonderry).
- 1801. Right Hon. Charles Abbot (afterwards Speaker of the House of
Commons in England, and Lord Colchester), May 25.
- 1802. Right Hon. William Wickham, February 13.
- 1804. Right Hon. Sir Evan Nepean, Bart., February 6.
- 1805. Right Hon. Nicholas Vansittart (afterwards Lord Bexley), March 23.
- 1805. Right Hon. Charles Long (afterwards Lord Farnborough),
September 21.
- 1806. Right Hon. William Elliot, March 28.
- 1807. Hon. Sir Arthur Wellesley, K.B. (afterwards Duke of Wellington),
April 19.
- 1809. Hon. Robert Dundas (afterwards Viscount Melville), April 13.

- 1809. Right Hon. William Wellesley Pole (afterwards Lord Maryborough, and Earl of Mornington), October 18.
- 1812. Right Hon. Robert Peel (afterwards Sir Robert Peel, Bart.), August 4.
- 1818. Right Hon. Charles Grant (afterwards Lord Glenelg), August 3.
- 1821. Right Hon. Henry Goulburn, December 29.
- 1827. Hon. William Lamb (afterwards Viscount Melbourne), April 29.
- 1828. Lord Francis Leveson-Gower (afterwards Lord Francis Egerton, and Earl of Ellesmere), June 21.
- 1830. Right Hon. Sir Henry Hardinge (afterwards Viscount Hardinge), July 30.
- 1830. Right Hon. Edward Geoffrey Smith Stanley (afterwards Lord Stanley of Bickerstaffe), November 29.
- 1833. Right Hon. Sir John Cam Hobhouse, Bart., March 29.
- 1833. Right Hon. Edward John Littleton (afterwards Lord Hatherton), May 17.
- 1834. Right Hon. Sir Henry Hardinge, again, December 17.
- 1835. George William Frederick Howard, Viscount Morpeth (afterwards Earl of Carlisle), April 22.
- 1841. Edward, Lord Eliot (afterwards Earl of St. Germans), September 6.
- 1845. Right Hon. Sir Thomas Francis Fremantle, Bart., February 1.
- 1846. Henry, Earl of Lincoln, February 14.
- 1846. Right Hon. Henry Labouchere, July 6.
- 1847. Right Hon. Sir William Meredith Somerville, Bart., July 22 (afterwards Lord Athlumney and Lord Meredith).
- 1852. Richard Southwell Bourke, commonly called Lord Naas (afterwards Earl of Mayo, February).
- 1852. Sir John Young, Bart., December.
- 1855. Edward Horsman, February.
- 1857. Henry Arthur Herbert.
- 1858. Lord Naas, again, February.
- 1859. Edward Cardwell (afterwards Viscount Cardwell), June.
- 1861. Sir Robert Peel, Bart., July.
- 1865. Chichester Samuel Fortescue (afterwards Lord Carlingford), November.
- 1866. Lord Naas, again, July.
- 1868. Colonel John Wilson Patten, September.
- 1868. Chichester S. Fortescue, again, December.
- 1871. Spencer Compton Cavendish (commonly called Marquis of Hartington), January.
- 1874. Sir Michael Edward Hicks-Beach, Bart., March 3.
- 1878. James Lowther, March 11.
- 1880. William Edward Forster, May 10.
- 1882. Lord Frederick Charles Cavendish, May.
- 1882. George Otton Trevelyan, May 9.
- 1884. Henry Campbell-Bannerman, October.
- 1885. Sir William Hart-Dyke, July 2.
- 1886. William Henry Smith, January.
- 1886. John Morley, February.
- 1886. Sir Michael Edward Hicks-Beach, Bart., again, August.
- 1887. Arthur James Balfour, March 8.
- W. L. Jackson.
- 1892. John Morley.

(UNDER-SECRETARIES)

- 1780. Sackville Hamilton, February 17.
- 1795. Lodge Morris, February 7.
- 1795. Sackville Hamilton, again, May 15.
- 1796. Edward Cooke, January 6.

- 1801. Alexander Marsden, October 21.
- 1806. James Trail, September 8.
- 1808. Sir Charles Saxton, Bart., September 6.
- 1812. William Gregory, October 5 (Under-Secretary for nineteen years).
- 1831. Lieutenant-Colonel Sir William Gossett, January 1.
- 1835. Thomas Drummond, July 25.
- 1840. Norman H. Macdonald, May 28.
- 1841. Edward Lucas, September 15.
- 1845. Richard Pennefather, August 21.
- 1846. Thomas N. Redington, July 11 (afterwards Sir Thomas).
- 1852. John Wynne, February.
- 1853. Major-General Sir Thomas Aiskew Larcom.
- 1858. Colonel Sir G. R. Wetherall.
- 1869. Thomas Henry Burke, May 20.
- 1882. Robert George Crookshank Hamilton, May.
- 1886. Major-General Sir Redvers Henry Buller.
- 1887. Colonel Sir Joseph West Ridgeway.

APPENDIX V

LORD CHANCELLORS OF IRELAND ; CHIEF JUSTICES OF THE KING'S BENCH ; CHIEF JUSTICES OF THE COMMON PLEAS ; CHIEF BARONS OF THE EXCHE- QUER ; ATTORNEYS - GENERAL ; AND SOLICITORS- GENERAL OF IRELAND IN THE EIGHTEENTH AND NINETEENTH CENTURIES

(LORD CHANCELLORS OF IRELAND)

QUEEN ANNE

- 1702. John Methuen, Aug. 26.
- 1703. Sir Richard Cox, Knt. : resigned in 1707.
- 1707. Richard Freeman, June 11.
- 1711. Sir Constantine Phipps, Knt., Jan. 22 : resigned Sept. 1714.

KING GEORGE I

- 1714. Alan Brodrick (afterwards Baron and Viscount Midleton), Oct. 11 :
resigned in 1725.
- 1725. Richard West, May 29.
- 1726. Thomas Wyndham (afterwards Baron Wyndham), Dec. 13.

KING GEORGE II

- 1727. Thomas Wyndham continued.
- 1739. Robert Jocelyn (afterwards Lord Newport and Viscount Jocelyn),
Sept. 7 : died Dec. 3, 1756.
- 1757. John Bowes (afterwards Baron Bowes, of Clonllyn), March 11.

KING GEORGE III

- 1760. John Bowes continued : died in 1767.
- 1767. James Hewitt (one of the justices of the King's Bench in England) ; created Baron Lifford, afterwards Viscount Lifford, of Donegal, Nov. 24 : died in 1789.
- 1789. John Fitzgibbon (created Lord Fitzgibbon, afterwards Viscount Fitzgibbon and Earl of Clare), June 20 : died Jan. 28, 1802.
- 1802. Sir John Mitford (created Lord Redesdale), Feb. 15.
- 1806. Rt. Hon. George Ponsonby, March 25 : resigned the next year.
- 1807. Thomas Manners Sutton (a Baron of the Exchequer in England), April 23 : created Lord Manners.

KING GEORGE IV

- 1820. Thomas, Lord Manners continued.
- 1827. Sir Anthony Hart, Knt. (previously Vice-Chancellor of England), Nov. 5 : resigned Nov. 1830 ; died in 1831.

KING WILLIAM IV

- 1830. William Conyngham Plunket, Lord Plunket (previously C.J.C.P.), Dec. 23 : surrendered Nov. 1834.
- 1835. Sir Edward Burtenshaw Sugden, Knt., Jan. 13 : surrendered in April.
- 1835. William Conyngham, Lord Plunket, appointed a second time, April 30.

QUEEN VICTORIA

- 1837. Lord Plunket continued.
- 1841. Sir John Campbell, Knt. (previously Attorney-General in England ; created Lord Campbell), June 22.
- 1841. Sir Edward Burtenshaw Sugden, again, Oct. 3 : afterwards Lord St. Leonards.
- 1846. Maziere Brady (previously Chief Baron of the Exchequer), July 16.
- 1852. Francis Blackburne, March 10 : resigned Dec. 1852.
- 1853. Maziere Brady, again, Jan. 13 : resigned Feb. 1858.
- 1858. Sir Joseph Napier, March 10 : resigned June 1859.
- 1859. Maziere Brady, again, June 27 : resigned July 1866.
- 1866. Francis Blackburne, again, July 24 : resigned March 1867.
- 1867. Abraham Brewster, March 29 : resigned Dec. 1868.
- 1868. Thomas O'Hagan, Dec. 18 ; created Lord O'Hagan, 1870 : resigned Feb. 1874.
- 1874. Commissioners—Sir Joseph Napier, Bart., Mr. Justice Lawson, William Brooke, March 11.
- 1875. John Thomas Ball, Jan. 1 : resigned April 1880.
- 1880. Lord O'Hagan, again, May : resigned Nov. 1881.
- 1881. Hugh Law, Nov. 11 : died Sept. 10, 1883.
- 1883. Sir Edward Sullivan, Bart., Dec. 11 : died Sept. 13, 1885.
- 1885. John Naish, May 21.
- 1885. Edward Gibson, July 1 : created Lord Ashbourne.
- 1886. John Naish, again, Feb. 11.
- 1886. Lord Ashbourne, again, Aug. 5.

(CHIEF JUSTICES OF THE KING'S BENCH IN IRELAND)

- 1695. Sir Richard Pyne
- 1709. Alan Brodrick : removed.
- 1711. Sir Richard Cox : removed.

- 1714. William Whitshed : removed to the Common Pleas.
- 1727. John Rogerson.
- 1741. Thomas Marlay : resigned.
- 1751. St. George Caulfield : resigned.
- 1760. Warden Flood.
- 1764. John Gore (afterwards Lord Annaly), Aug. 24.
- 1784. John Scott (created Lord Earlsfort, afterwards Viscount and Earl of Clonmel), April 29.
- 1798. Arthur Wolfe, Lord Kilwarden, June 13 : murdered July 23, 1803.
- 1803. William Downes (afterwards Lord Downes), Sept. 12.
- 1822. Charles Kendal Bushe, Feb. 14.
- 1841. Edward Pennefather, Nov. 10.
- 1846. Francis Blackburne, Jan. 23.
- 1852. Thomas Lefroy, Feb. : resigned 1866.
- 1866. James Whiteside, July 24 : died Nov. 1876.
- 1877. George Augustus Chichester May, Feb. 2 : resigned in 1887.

(CHIEF JUSTICES OF THE COMMON PLEAS IN IRELAND)

- 1701. Sir Richard Cox, Knt.
- 1703. Robert Doyne : patent revoked.
- 1714. John Forster.
- 1720. Sir Robert Levinge.
- 1724. Thomas Wyndham.
- 1726. William Whitshed.
- 1727. James Reynolds : resigned, and made a Judge in England.
- 1740. Henry Singleton : resigned, and made Master of the Rolls.
- 1753. Sir William Yorke : second Justice, afterwards Irish Chancellor of the Exchequer.
- 1761. Sir Richard Aston, Knt. : made a Justice of the King's Bench in England.
- 1765. Richard Clayton, March 19 : resigned.
- 1770. Marcus Paterson, July 4.
- 1787. Hugh Carleton, May 9 : afterwards Baron and Viscount Carleton.
- 1800. John Toler (created Baron Norbury, afterwards Earl Norbury), Dec. 20.
- 1827. Lord Plunket, vice Norbury : resigned June 18 : afterwards Lord Chancellor.
- 1830. John Doherty, Dec. 23.
- 1850. James Henry Monahan, Sept. 23 : resigned 1876 ; died 1879.
- 1876. Michael Morris (afterwards Sir Michael) ; Feb. 9.

(CHIEF BARONS OF THE EXCHEQUER IN IRELAND)

- 1703. Nehemiah Donellan, one of the Barons.
- 1706. Richard Freeman : afterwards Lord Chancellor.
- 1707. Robert Rochfort : removed.
- 1714. Joseph Deane.
- 1715. Geoffrey Gilbert : made a Baron of the Exchequer in England.
- 1722. Bernard Hale : made a Judge in England.
- 1725. Thomas Dalton.
- 1730. Thomas Marlay : afterwards Chief Justice of the King's Bench in Ireland.
- 1741. John Bowes : afterwards Lord Chancellor.
- 1757. Edward Willes : appointed Solicitor-General in England, and in 1768 a Justice of the King's Bench, vice Hewitt, made Lord Chancellor of Ireland.

- 1766. Anthony Foster, Sept. 5.
- 1777. James Dennis : afterwards created Baron Tracton, in the County of Cork.
- 1782. Walter Hussey Burgh, July 11.
- 1783. Barry Yelverton : afterwards Viscount Avonmore, Nov. 29.
- 1805. Standish O'Grady, Oct. 5 : resigned in 1831 : created Viscount Guillamore.
- 1831. Henry Joy, Jan. 6.
- 1838. Stephen Woulfe, July 20.
- 1840. Maziere Brady, Feb. 11.
- 1846. David Richard Pigot, Sept. 1 : died 1873.
- 1874. Christopher Palles, Feb. 25.

(ATTORNEYS-GENERAL IN IRELAND)

- 1695. Robert Rochfort.
- 1707. Alan Brodrick, June 12.
- 1709. John Forster, Dec. 24.
- 1711. Sir Richard Levinge, June 4.
- 1714. George Gore, Nov. 8.
- 1720. John Rogerson, May 14.
- 1727. Thomas Marlay, May 5.
- 1730. Robert Jocelyn, Sept. 29.
- 1739. John Bowes, Sept. 3.
- 1741. St. George Caulfield, Dec. 23.
- 1751. Warden Flood, Aug. 27.
- 1760. Philip Tisdall, July 31.
- 1777. John Scott, Oct. 17.
- 1782. Barry Yelverton, July 2.
- 1783. John Fitzgibbon, Nov. 29.
- 1789. Arthur Wolfe, July 16.
- 1798. John Toler, June 26.
- 1800. Patrick Stewart, Dec. 9.
- 1803. Standish O'Grady, May 28.
- 1805. William Conyngham Plunket, Oct. 15.
- 1807. William Sawrin, May 15.
- 1822. William Conyngham Plunket, again, Jan. 15.
- 1827. Henry Joy, June 18.
- 1831. Francis Blackburne, Jan. 11.
- 1835. Louis Perrin, April 29.
- 1835. Michael O'Loghlen, Aug. 31.
- 1836. John Richards, November 10.
- 1837. Stephen Woulfe, February 3.
- 1838. Nicholas Ball, July 11.
- 1839. Maziere Brady, February 23.
- 1840. David R. Pigott, August 14.
- 1841. Francis Blackburne, again, September 23.
- 1842. Thomas Berry Cusack Smith, November 1.
- 1846. Richard Wilson Green, February 2.
- 1846. Richard Moore, July 16.
- 1847. James Henry Monahan, December 24.
- 1850. John Hatchell, September 23.
- 1852. Joseph Napier, February.
- 1853. Abraham Brewster, April.
- 1855. William Keogh, March.
- 1856. John David Fitzgerald, March.
- 1858. James Whiteside, February.
- 1859. John David Fitzgerald, again, June.

- 1860. Rickard Deary, February.
- 1861. Thomas O'Hagan.
- 1865. James Anthony Lawson.
- 1866. John Edward Walsh, July 25.
- 1866. Michael Morris, November 1.
- 1867. Hedges Eyre Chatterton.
- 1867. Robert Richard Warren.
- 1868. John Thomas Ball.
- 1868. Edward Sullivan.
- 1870. Charles Robert Barry, January 26.
- 1872. Richard Dowse, January 13.
- 1872. Christopher Palles, November 5.
- 1874. John Thomas Ball, again, March 12.
- 1875. Henry Ormsby, January 21.
- 1875. George Augustus Chichester May, November 27.
- 1877. Edward Gibson, February 15.
- 1880. Hugh Law, May 10.
- 1881. William Moore Johnson, November 17.
- 1883. Andrew Marshall Porter, January 3.
- 1883. John Naish, December 19.
- 1885. Samuel Walker.
- 1885. Hugh Holmes, July 3.
- 1886. Samuel Walker, again.
- 1886. Hugh Holmes, again.
- 1887. John George Gibson.
- 1888. Peter O'Brien.

(SOLICITORS-GENERAL IN IRELAND)

- 1695. Alan Brodrick.
- 1704. Sir Richard Levinge.
- 1709. John Forster, September 8.
- 1702. William Whitshed, December 24.
- 1711. Francis Bernard, June 4.
- 1714. John Rogerson, November 8.
- 1720. Thomas Marley, October 13.
- 1727. Robert Jocelyn, April 5.
- 1730. John Bowes, September 29.
- 1739. St. George Caulfield, September 24.
- 1741. Warden Flood, December 24.
- 1751. Philip Tisdall, August 27.
- 1760. John Gore, July 31.
- 1764. Marcus Patterson, September 24.
- 1770. Godfrey Lill, June 18.
- 1774. John Scott, December 12.
- 1777. Robert Hellen, October 31.
- 1779. Hugh Carlton, May 4.
- 1787. Arthur Wolfe, May 9.
- 1789. John Toler, August 8.
- 1798. John Stewart, July 6.
- 1800. William Cusack Smith, December 6.
- 1802. James McClelland, January 12.
- 1803. William Conyngham Plunket, October 22.
- 1805. Charles Kendal Bushe, October 15.
- 1822. Henry Joy, February 20.
- 1827. John Doherty, June 18.
- 1830. Philip Cecil Crampton, December 23.
- 1834. Michael O'Loghlen October 21.

- 1835. Edward Pennefather, January 27.
- 1835. Michael O'Loughlen, again, April 29.
- 1835. John Richards, September 21.
- 1836. Stephen Woulfe, November 10.
- 1837. Maziere Brady, February 3.
- 1839. David R. Pigott, February 11.
- 1840. Richard Moore, August 14.
- 1841. Edward Pennefather, again, September 23.
- 1841. Joseph Devonshire Jackson, November 10.
- 1842. Thomas Berry Cusack Smith, September 21.
- 1842. Richard Wilson Greene, November 1.
- 1846. Abraham Brewster, February 2.
- 1846. James Henry Monahan, July 16.
- 1847. John Hatchell, December 24.
- 1850. Henry George Hughes, September 16.
- 1852. James Whiteside, February.
- 1853. William Keogh, April.
- 1855. John David Fitzgerald, March.
- 1856. Jonathan Christian, March.
- 1858. Henry George Hughes, again, February.
- 1858. Edmund Hayes.
- 1859. John George, June.
- 1860. Thomas O'Hagan, February.
- 1861. James Anthony Lawson.
- 1865. Edward Sullivan.
- 1866. Michael Morris, August 3.
- 1866. Hedges Eyre Chatterton, November 8.
- 1867. Robert Richard Warren.
- 1867. Michael Harrison.
- 1868. John Thomas Ball.
- 1868. Henry Ormsby.
- 1868. Charles Robert Barry.
- 1870. Richard Dowse, February 14.
- 1872. Christopher Palles, February 6.
- 1872. Hugh Law, November 18.
- 1874. Henry Ormsby, again, March 12.
- 1875. Hon. David Robert Plunket, January 29.
- 1877. Gerald Fitzgibbon, junior, March 3.
- 1878. Hugh Holmes, December 14.
- 1880. William Moore Johnson, May 24.
- 1881. Andrew Marshall Porter, November 18.
- 1883. John Naish, January 9.
- 1883. Samuel Walker, December 19.
- 1885. The MacDermot.
- 1885. John Monroe, July 3.
- 1885. John George Gibson.
- 1886. The MacDermot, again.
- 1886. John George Gibson, again.
- 1887. Peter O'Brien.
- 1888. Dodgson Hamilton Madden.

APPENDIX VI

(See Chapter I, p. 2)

W. E. H. LECKY, a learned, accurate, and impartial writer, describes these brutalities well in the second volume of his *History*—

"The suppression of the native race, in the wars against Shane O'Neil, Desmond and Tyrone, was carried on with a ferocity which surpassed that of Alva in the Netherlands, and was hardly exceeded by any page in the blood-stained annals of the Turks. Thus a deliberate attempt was made by a servant of the British Government to assassinate, in time of peace, the great Irish leader Shane O'Neil, by a present of poisoned wine ; and, although the attempt failed, and the assassin was detected and arrested, he was at once liberated by the Government. Essex accepted the hospitality of Sir Brien O'Neil. After a banquet, when the Irish Chief had retired unsuspectingly to rest, the English general surrounded the house with soldiers, captured his host, with his wife and brother, sent them all to Dublin for execution, and massacred the whole body of his friends and retainers. An English officer, a friend of the Viceroy, invited seventeen Irish gentlemen to supper, and when they rose from the table had them all stabbed. A Catholic archbishop named Hurley fell into the hands of the English authorities, and before they sent him to the gallows they tortured him to extort confession of treason, by one of the most horrible torments nature can endure—by roasting his feet with fire. But these isolated episodes, by diverting the mind from the broad features of the war, serve rather to diminish than to enhance its atrocity. The war, as conducted by Carew, by Gilbert, by Pelham, by Mountjoy, was literally a war of extermination. The slaughter of Irishmen was looked upon as literally the slaughter of wild beasts. Not only the men, but even the women and children who fell into the hands of the English were deliberately and systematically butchered. Bands of soldiers traversed great tracts of country, slaying every living thing they met. The sword was not found sufficiently expeditious, but another method proved much more efficacious. Year after year, over a great part of Ireland, all means of human subsistence were destroyed, no quarter was given to prisoners who surrendered, and the whole population was skilfully and steadily starved to death. . . . Long before the war had terminated, Elizabeth was assured that she had little left to reign over but ashes and carcasses. It was boasted that in all the wide territory of Desmond not a town, castle, village, or farmhouse was unburnt ; and a high English official, writing in 1582, computed that in six months, more than 30,000 people had been starved to death in Munster, besides those who were hung, or who perished by the sword. Archbishop Usher afterwards described how women were accustomed to lie in wait for a passing rider, and to rush out like famished wolves to kill and to devour his horse. The slaughter of women as well as of men, of unresisting peasants as well as of armed rebels, was openly avowed by the English commanders. The Irish annalists told, with horrible detail, how the bands of Pelham and Ormond killed blind and feeble men, women, boys and girls, sick persons, idiots, and old people ; how in Desmond's country, even after all resistance had ceased, soldiers forced men and women into old barns which were set on fire, and if any attempted to escape they were shot or stabbed ; how soldiers were seen to take up infants on the point of their spears and to whirl them about in their agony ; how women were found hanging on trees with their children at their breasts, strangled with their mother's hair. . . . In the single county of Tyrone 3,000 persons in a few months were starved. On one occasion Sir Arthur Chichester, with some other English officers, saw

three small children—the eldest not above ten years old—feeding off the flesh of their starved mother. In the neighbourhood of Newry famine produced a new and appalling crime. It was discovered that some old women were accustomed, by lighting fires, to attract children, whom they murdered and devoured ! At last, hunger and the sword accomplished their work. Tyrone bowed his head before the storm and the English supremacy was supreme.”

APPENDIX VII

(See Chapter I, p. 2)

“THE KING,” says Thomas Carte, “granted estates to all, to be held by them and their heirs ; the undertakers of two thousand acres held of him *in capite* ; those of one thousand five hundred by knight’s service as of the Castle of Dublin ; and those of one thousand in common soccage. The first were, in four years, obliged to build a castle and a bawn ; the second in two years, a strong stone or brick house and bawn ; and the last, a bawn ; timber for that purpose, as well as for their tenants’ houses, being assigned them out of the King’s woods. The first were obliged to plant on their lands, within three years, forty-eight able men, eighteen years old or upwards, born in England or the inland parts of Scotland, to be reduced to twenty families, to keep a demesne of six hundred acres in their hands, to have four free farmers on a hundred and twenty acres each, six leaseholders on a hundred acres each ; and on the rest eight families of husbandmen, artificers, and cottagers ; the others were under the like obligations proportionably ; and they were all, within five years, to reside in person on some part of the premises, and to have store of arms in their houses. They were not to alienate any of their lands without a royal licence, nor set them at uncertain rents or for a less term than twenty-one years, nor three lives ; and their tenants were to live in houses not in cabins, and to build their houses together in towns and villages. They had power to erect manors, to hold courts baron, to create tenures, with liberty of exporting and importing timber, and other privileges ; which were likewise extended to the natives, whose estates were granted them in fee-simple and held in soccage, but with no obligation on any to erect castles or build strong houses. These were not thought proper for the residence of persons who might well be deemed willing to arrogate to themselves all the power that had been formerly usurped and exercised by the Irish chiefs ; to guard against which, they were restrained from having tenants at will ; they were enjoined to set their lands at rents certain for the like terms as the undertakers, and were to take no chief rents, cuttings and other Irish exactions, from their undertenants, who were obliged to leave their creating (or running up and down the country with their cattle, from place to place for pasture), and to dwell in towns, and use the English manner of tillage and husbandry. In this manner and under these regulations were the escheated lands in Ulster disposed of to a hundred and four English and Scotch undertakers, fifty-six servitors, and two hundred and eighty-six natives, all which gave bond to the Government for performance of covenants ; for the better assurance whereof the King required a regular account to be sent to him from the State, of the progress made by each undertaker in the plantation.” (*Life of Ormonde.*)

APPENDIX VIII

(See Chapter I, p. 12)

JONATHAN SWIFT wrote in *The Present Miserable State of Ireland*—

"The repeated clamours of the English weavers produced this Act, so destructive to themselves and us. They looked with envious eyes upon our prosperity, and complained of being undersold by us in those commodities, which they themselves did not deal in. . . . We are apt to charge the Irish with laziness, because we seldom find them employed; but then we don't consider they have nothing to do. Sir William Temple, in his excellent remarks on the United Provinces, inquires, why Holland, which has the fewest and worst ports and commodities of any nation in Europe, should abound in trade, and Ireland, which has the most and best of both, should have none? This great man attributes this surprising incident to the natural aversion man has for labour; who will not be persuaded to toil and fatigue himself for the superfluities of life throughout the week, when he may provide himself for all necessary subsistence by the labour of a day or two. But, with due submission to Sir William's profound judgment, the want of trade with us is rather owing to the cruel restraints we lie under, than to any disqualification whatsoever in our inhabitants."

Cæsar Otway, one of the Commissioners appointed in 1840 to inquire into the condition of the hand-loom weavers, traces very lucidly in his report the underlying causes which brought about the extinction of the Irish woollen manufacture when the artillery of legislation was directed against it—

"The hand-loom weavers, the wool-combers, the clothiers, the dyers, the whitesmiths, and even the mariners in the south of Ireland, were so exclusively Protestant that they would not allow a Roman Catholic apprentice to be received in any of their trades. . . . During the reigns of William and Anne this exclusion of the Irish from all manufactures was rigorously continued; but to compensate for this, great encouragement was given to the immigration of foreign Protestants, especially the Huguenots, who had fled from France on the revocation of the Edict of Nantes. The bigotry of Louis XIV upset the magnificent schemes of his Minister, Colbert, by the expulsion of his Huguenot subjects; and numbers of these men brought their arts, their industry, their capital, and their faith into Ireland—they established several branches of trade in various parts of the country—the woollen manufacture in the south; linens and cambrics in the counties of Down and Armagh, and the silk manufacture in Dublin. In support of these refugees, and the arts they carried with them, the Irish landed proprietors were very active—a subscription was raised, as appears from Primate Boulter's letters, for establishing the cambric manufacture in the town of Dundalk, amounting to £30,000, and a Monsieur de Joncourt was appointed to collect French operatives, and conduct the establishment. But the Huguenots adopted the baneful system of exclusion, and exerted themselves to prevent the Irish from learning their arts or profiting by their industry. The Duke of Ormond, following the example of the Earl of Cork, also prohibited the instruction of Roman Catholic apprentices, as did the principal landowners, who encouraged foreigners to settle on their estates."

"Now this exclusive system at once destroyed the basis of all manufacturing prosperity—the home market. The fabrics introduced by the English and French settlers were of a superior quality, for which the native Irish could only acquire a want as they were raised in the scale of civilization. But instead of thus raising them, the foreign manufacturers, aided by legislation, employed every possible means to depress them, and thus blindly drove from their market a whole nation of customers, and confined them to the use

of the rude and cheap fabrics which were woven amongst themselves. The manufacturers were thus forced to rely on their foreign trade ; but here they came into competition with the English merchants, and aroused the spirit of commercial jealousy.

"The Act of William, prohibiting the export of Irish wool and woollens, destroyed the Irish woollen manufactures, simply because they depended almost solely on foreign sale for their support. There was no independent peasantry or respectable and wealthy middle class for them to supply."

APPENDIX IX

(See Chapter I, p. 14)

JONATHAN SWIFT wrote in 1726 or 1727 in *The Present Miserable State of Ireland*—

"Another great calamity is the exorbitant raising of the rents of lands. Upon the determination of all leases made before the year 1690, a gentleman thinks he has but indifferently improved his estate if he has only doubled his rent-roll. Farms are screwed up to a rack-rent ; leases granted but for a small term of years ; tenants tied down to hard conditions, and discouraged from cultivating the lands they occupy to the best advantage, by the certainty they have of the rent being raised, on the expiration of their lease, proportionably to the improvements they shall make. Thus is honest industry restrained ; the farmer is a slave to his landlord ; 'tis well if he can cover his family with a coarse home-spun frieze."

Again in *A Short View of the State of Ireland*—

✓ (A stranger) "would be apt to think himself travelling in Lapland or Iceland rather than in a country so favoured by nature as ours, both in fruitfulness of soil and temperature of climate. The miserable dress, and diet, and dwelling of the people ; the general desolation in most parts of the kingdom ; the old seats of the nobility and gentry all in ruins, and no new ones in their stead ; the families of farmers, who pay great rents, living in filth and nastiness upon butter-milk and potatoes, without a shoe or a stocking to their feet, or a house so convenient as an English hog-stye to receive them. These, indeed, may be comfortable sights to an English spectator, who comes for a short time only to learn the language, and returns back to his own country, whither he finds all his wealth transmitted.

'Nostra miseria magna est.'

... The rise of our rents is squeezed out of the very blood, and vitals, and clothes, and dwellings of the tenants, who live worse than English beggars. The lowness of interest, in all other countries a sign of wealth, is in us a proof of misery ; there being no trade to employ any borrower. Hence alone comes the dearth of land, since the savers have no other way to lay out their money. Hence the dearth of the necessaries of life ; because the tenants cannot afford to pay such extravagant rates for land which they must take, or go a-begging, without raising the price of cattle and of corn, although themselves should live upon chaff."

Swift's terrible jesting showed the temper of the times. His pages grin with horror ; so fierce was the misery, so mad the hunger of the starving Irish people. In his *Modest Proposal for preventing the children of poor people in Ireland from being a burden to their parents or country, and for making them beneficial to the public*, published in 1729, he says—

"I have been assured by a very knowing American of my acquaintance in London, that a young healthy child, well nursed, is at a year old a most delicious, nourishing and wholesome food, whether stewed, roasted, baked

or boiled ; and I make no doubt that it will equally serve in a fricassee or ragout.

"I do therefore humbly offer it to public consideration, that of the hundred and twenty thousand children already computed, twenty thousand may be reserved for breed, whereof only one fourth part to be males ; which is more than we allow to sheep, black-cattle, or swine ; and my reason is, that these children are seldom the fruits of marriage, a circumstance not much regarded by our savages, therefore one male will be sufficient to serve four females. That the remaining hundred thousand may, at a year old, be offered in sale to the persons of quality and fortune through the kingdom, always advising the mother to let them suck plentifully in the last month, so as to render them plump and fat for a good table. A child will make two dishes at an entertainment for friends ; and when the family dines alone, the fore or hind-quarter will make a reasonable dish, and seasoned with a little pepper or salt, will be very good boiled on the fourth day, especially in winter.

"I have reckoned upon a medium, that a child just born will weigh twelve pounds, and in a solar year, if tolerable nursed, will increase to twenty-eight pounds.

"I grant this food will be somewhat dear, and therefore very proper for landlords, who, as they have already devoured most of the parents, seem to have the best title to the children. . . . Those who are more thrifty (as I must confess the times require) may flay the carcass ; the skin of which, artificially dressed, will make admirable gloves for ladies, and summer boots for fine gentlemen.

"As to our city of Dublin, shambles may be appointed for their purpose in the most convenient parts of it, and butchers, we may be assured, will not be wanting ; although I rather recommend buying the children alive, then dressing them hot from the knife, as we do roasting pigs. . . .

"Many other advantages might be enumerated. For instance, the addition of some thousand carcasses in our exportation of barrelled beef ; the propagation of swines' flesh, and improvement in the art of making good bacon, so much wanted among us by the great destruction of pigs too frequent at our table ; which are no way comparable in taste or magnificence to a well-grown, fat, yearling child, which roasted whole will make a considerable figure at a lord mayor's feast, or any other public entertainment. But this, and many others, I omit, being studious of brevity."

In another places he writes—

↓ "This kingdom is now absolutely starving by the means of every oppression that can be inflicted on mankind. I confess myself to be touched with very sensible pleasure when I hear of mortality in any county, parish, or village, where the wretches are forced to pay for a filthy cabin, and two ridges of potatoes, treble the worth, to whom death would be the best thing to be wished for, on account both of themselves and the public."

The harpies that traded upon this despair were not far to seek ; Swift wrote in 1727—

"A great cause for this nation's misery is, that Egyptian bondage of cruel, oppressing, covetous landlords ; expecting that all who live under them should make bricks without straw ; who grieve and envy when they see a tenant of their own in a whole coat, or able to afford one comfortable meal in a month ; by which the spirits of the people are broken and made fit for slavery ; the farmers and cottagers, almost throughout the whole kingdom, being, to all intents and purposes, as real beggars as any of those to whom we give our charity in the streets."

Again, in his *Character of an Irish Squire*—

"Every squire, almost to a man, is an oppressor of the clergy, a racker of his tenants, a jobber of all public works, very proud, and generally illiterate. . . . The detestable tyranny and oppression of landlords are visible in every part of the kingdom."

And in his *Considerations about Maintaining the Poor*—

"The prodigious number of beggars throughout this kingdom, in proportion to so small a number of people, is owing to many reasons: to the laziness of the natives; the want of work to employ them; the enormous rents paid by cottagers for their miserable cabins and potato-plots; their early marriages without the least prospect of establishment; the ruin of agriculture, whereby such vast numbers are hindered from providing their own bread, and have no money to purchase it; the moral damp upon all kinds of trade, and many other circumstances too tedious or invidious to mention. And to the same causes we owe the perpetual concourse of foreign beggars to this town, the country landlords giving all assistance, except money and victuals, to drive from their estates those miserable creatures they have undone."

The author of *Letters from an Armenian in Ireland to his Friends at Trebizonde* said the same thing thirty years later. In 1756 he wrote—

"Thou askest me what are the respective conditions of the lord and the peasant in this remote world. Know, therefore, that they are in general the conditions of master and vassal. . . . The lord is a poor tyrant, and the peasant a poorer slave. Hear me, Ali: the lord seldom parcels out his land among the cultivators of it; his ample estate is divided into a few parts, and hired by a few puny lords, and servile imitators of him; each of these subdivides his part, and sets it to as many more; all these have a profit from it proportionable to their degrees of subordination and quantities of land; at last it is broken into small portions among the poor peasants, whose sweat is to support the idleness, perhaps, of twenty superiors; while all what remains of their labour hardly yields bread for themselves. Their food is barely sufficient to support the day's fatigue, and their habitations will not defend from rain the straw on which they repose; while their unkind lords are wasting life in riot and luxury, regardless of the hand that supplies them with the means."

The misery of the wretched cottiers was described by a tourist who visited Ireland about 1764—

"I never met with such scenes of misery and oppression as this country, in too many parts of it, really exhibits. What with the severe exactions of rent, even before the corn is housed, a practice that too much prevails here among the petty and despicable landlords, third, fourth, and fifth from the first proprietor . . . of the parish priest who, not content with the tithe of grain, exacts even the very one-tenth of half-a-dozen or half-a-score perches of potatoes, upon which a whole family perhaps subsists for the year, and of the Catholic priest . . . who comes armed with the terrors of damnation, and demands his full quota of unremitted offerings . . . the poor reduced wretches have hardly the skin of a potato left them to subsist on."

APPENDIX X

(See Chapter I, p. 15)

CHESTERFIELD, the Lord-Lieutenant, left it as his opinion, that—

"If the military force had killed half as many landlords as it had White-boys, it would have contributed more to restore quiet; for the poor people in Ireland are worse used than negroes by their masters, and deputies of deputies of deputies."

Arthur Young, who went to Ireland in the summer of 1776 and travelled about from one rich man's house to another, wrote in his *Tour in Ireland*—

"A long series of oppressions, aided by the very many ill-judged laws,

have brought landlords into a habit of exerting a very lofty superiority, and their vassals into that of an almost unlimited submission; speaking a language that is despised, professing a religion that is abhorred, and being disarmed, the poor find themselves in many cases slaves even in the bosom of written liberty. Landlords that have resided much abroad are usually humane in their ideas, but the habit of tyranny naturally contracts the mind, so that even in this polished age there are instances of a severe carriage towards the poor, which is quite unknown in England. A landlord in Ireland can scarcely invent an order which a servant, labourer or cottar dares to refuse to execute. Nothing satisfies him but an unlimited submission. Disrespect, or anything tending towards sauciness, he may punish with his cane or his horsewhip with the most perfect security. A poor man would have his bones broken if he offered to lift his hand in his own defence. Landlords of consequence have assured me that many of their cottars would think themselves honoured by having their wives and daughters sent for to the bed of their master. . . . It must strike the most careless traveller to see whole strings of cars whipped into a ditch by a gentleman's footman to make way for his carriage. If they are overturned or broken in pieces, it is taken in patience. Were they to complain, they would perhaps be horse-whipped. The execution of the laws lies very much in the hands of justices of the peace, many of whom are drawn from the most illiberal class in the kingdom. If a poor man lodges his complaint against a gentleman, or any animal that chooses to call itself a gentleman, and the justice issues a summons for his appearance, it is a fixed affront, and he will infallibly be called out. Where manners are in conspiracy against law, to whom are the oppressed people to have recourse? It is a fact that a poor man having a contest with a gentleman must—but I am talking nonsense, they know their situation too well to think of it; they can have no defence but by means of protection from one gentleman against another, who probably protects his vassal as he would the sheep he intends to eat.

"The colours of this picture are not charged. To assert that all the cases are common, would be an exaggeration; but to say that an unfeeling landlord will do all this with impunity, is to keep strictly to truth: and what is liberty but a farce and a jest if its blessings are received as the favour of kindness and humanity instead of being the inheritance of right?"

The same author wrote of the absentees—

"It is not the simple amount of the rental being remitted into another country, but the damp on all sorts of improvements and the total want of countenance and encouragement which the lower tenantry labour under. The landlord, at such a great distance, is out of the way of all complaints, or, which is the same thing, of examining into or remedying evils; miseries, of which he can see nothing and probably hear as little of, can make no impression. All that is required of the agent is to be punctual in his remittances, and as to the people who pay him, they are too often welcome to go to the devil, provided their rents could be paid from his territories. This is the general picture."

APPENDIX XI

(See Chapter I, p. 15)

THAT the Irishman was capable of developing his qualities of energy and perseverance when afforded a fair opportunity of doing so, is shown by Arthur Young—

"In the mountainous districts I saw instances of greater industry than in any other parts of Ireland. Little occupiers who can get leases of a

mountain-side, make exertions in improvements which, though far enough from being complete or accurate, yet prove clearly what effects encouragement would have upon them. . . .

"It is, from the whole of the evidence, plain that they are, in no common degree, masters of the art of overcoming difficulties by patience and contrivance. . . . Give the farmer of twenty acres in England no more capital than his brother in Ireland, and I will venture to say he will be much poorer, for he will be utterly unable to go on at all."

Writing in 1836 on the relations existing at this period between landlord and tenant, Sir George Cornewall Lewis observes in his *Local Disturbances in Ireland*—

"—the landlord, if resident and an Irishman, was almost invariably a Protestant, as Catholics were incapacitated from holding land; and as in the three southern provinces nearly all the occupying tenants were Catholic, the landlord exercised over his tenant not only that influence which a creditor necessarily exercises over his debtor, but also that power which the law gave to the Protestant over the Catholic, to the magistrate and grand juror over the suspected rebel. In these two ways all friendly connection between the landlord and the tenant of the soil was broken; either the landlord was at a distance and was represented by an oppressive, grasping middleman, or, if on the spot, he was a member of a dominant and privileged caste, who was as much bound by his official duties as he was prompted by the opinion of his order, by the love of power, and by the feeling of irresponsibility to oppress, degrade, and trample on his Catholic tenants." . . . Of the Irish peasants Lewis says in continuance of the subject: "Deprived of all self-respect by the operation of the penal statutes, prevented from rising in the world, or from bettering their condition, by legal disabilities and the legalized oppression of their landlords; without education; excluded from a public participation in the rites of their own religion, they endured all, and more than the evils which belonged to the lot of a serf, without looking forward to the interested protection and relief which a master would afford to his bondman."

Paley, who had been in Ireland, selected the Irish peasant for one of his illustrations, and wrote—

"The lowest class of the Irish afford a proof in point. They are poor, and in point of situation in a state of slavery."

APPENDIX XI_A

(See Chapter I, p. 20)

ARTHUR YOUNG, commenting upon the spirit in which the Irish lower classes were governed by the upper, especially in connection with the Oak Boy movement and that of the "Steel Boys," which occurred ten years later in Ulster in 1771, wrote—

"The case was, however, different with the Whiteboys, who, being labouring Catholics, met with all those oppressions I have described, and would probably have continued in full submission had not very severe treatment in respect of tithes united with a great speculative rise of rents about the same time, blown up the flame of resistance. The atrocious acts they were guilty of made them the object of general indignation, Acts were passed for their punishment which seem calculated for the meridian of Barbary. This arose to such a height that by one Act they were to be hanged under circumstances without the common formalities of a trial, which, though repealed by the following session, marks the spirit of punishment; while others remain yet the law of the land, that would, if executed, tend more to

raise than quell an insurrection. From all which it is manifest that the gentlemen of Ireland never thought of a radical cure from overlooking the real cause of disease, which in fact lay in themselves, and not in the wretches they doomed to the gallows. Let them change their own conduct entirely, and the poor will not long riot. Treat them like men who ought to be as free as yourselves ; put an end to that system of religious persecution which for seventy years has divided the kingdom against itself ; in these two circumstances lies the cure of insurrection,—perform them completely, and you will have an affectionate poor, instead of oppressed and discontented vassals."

APPENDIX XI_B

(See Chapter I, p. 22)

IN a letter to Weymouth (Thomas Thynne, third Viscount Weymouth and first Marquis of Bath) in 1770, Townshend wrote—

"I hope to be excused for representing to his Majesty the miserable situation of the lower ranks of his subjects in this kingdom. What from the rapaciousness of their unfeeling landlords and the restrictions on their trade, they are among the most wretched people on earth."

Lord Charlemont, about the same time, as can be read in Hardy's life of that nobleman, thus summed up the catalogue of Irish distress—

"Exorbitant rents, low wages, want of employment in a country destitute of manufactures, where desolation and famine were the effects of fertility ; where the rich gifts of a bountiful mother were destructive to her children, and served only to tantalize them ; where oxen supplied the place of men, and, by leaving little room for cultivation while they enriched their pampered owners, starved the miserable remnant of thinly scattered inhabitants ; farms of enormous extent let by their rapacious and indolent proprietors to monopolizing land-jobbers, by whom small portions of them were again let and relet to intermediate oppressors, and by them subdivided for five times their value among the wretched starvers upon potatoes and water ; taxes yearly increasing and tithes which the Catholic, without any possible benefit, unwillingly pays in addition to his priest money—misery, oppression, and famine ! These were undoubtedly the first and original causes, obvious to the slightest inspection, though resolutely denied ; and every public investigation into them impudently frustrated by those whose sordid interest opposed their removal."

Dr. Campbell, who visited Ireland in 1775, wrote—

"We are all by nature abhorrent of labour, for labour gives pain ; sloth must prevail till the incentives to diligence overpower the propensity to idleness. . . . We can keep the Irish dark and ignorant, and then we wonder how they can be so enthralled by superstition ; we make them poor and unhappy, and then we wonder that they are so prone to tumult and disorder."

APPENDIX XI_C

(See Chapter I, p. 22)

FITZGIBBON, who was at this time Attorney-General in the Irish Government, speaking in 1787 in the debate upon the Bill for the suppression of these disturbances, went so far as to openly accuse them—

"Upon the best inquiry that I have been able to make it does not

appear that there is the least ground to accuse the clergy of extortion. Far from receiving the tenth, I know of no instance in which they receive the twentieth part. I am very well acquainted with the province of Munster, and I know that it is impossible for human wretchedness to exceed that of the miserable peasantry in that province. I know that the unhappy tenantry are ground to powder by relentless landlords; I know that, far from being able to give the clergy their just dues, they have not food nor raiment for themselves, the landlords grasp the whole; and sorry I am to say that, not satisfied with the present extortion, some landlords have been so bad as to instigate the insurgents to rob the clergy of their tithes, not in order to alleviate the distress of the tenantry, but that they might add the clergy's to the cruel rack-rents already paid. . . . The poor people of Munster live in a more abject state of poverty than human nature can be supposed able to bear: their miseries are intolerable."

APPENDIX XI_D

(See Chapter I, p. 25)

JONATHAN SWIFT wrote—

"I would now expostulate a little with our country landlords, who, by immeasurable screwing and racking their tenants all over the kingdom, have already reduced the miserable people to a worse condition than the peasants in France, or the vassals in Germany or Poland; so that the whole species of what we call substantial farmers will in a very few years be utterly at an end."

He compared Ireland to Arachne—

"The fable in Ovid of Arachne and Pallas is to this purpose: The goddess had heard of one Arachne, a young virgin very famous for spinning and weaving; they both met upon a trial of skill; and Pallas, finding herself almost equalled in her own art, stung with rage and envy, knocked her rival down, and turned her into a spider, enjoining her to spin and weave for ever out of her own bowels, and in a very narrow compass. I confess that from a boy I always pitied poor Arachne, and could never heartily love the goddess, on account of so cruel and unjust a sentence; which, however, is fully executed upon us by England, with further additions of rigour and severity; for the greatest part of our bowels and vitals is extracted, without allowing us the liberty of spinning and weaving them. . . . I have heard great divines affirm that nothing is so likely to call down a universal judgment from Heaven upon a nation as universal oppression; and whether this be not already verified in part, their worships, the landlords, are now at full leisure to consider. Whoever travels this country, and observes the face of nature, or the faces and habits and dwellings of the natives, will hardly think himself in a land where law, religion, or common humanity is professed."

APPENDIX XII

(See Chapter I, p. 26)

WHAT can be more exquisitely ironical than Swift's letter purporting to be written by Wood himself?—

. . . "When I was an honest man, my next neighbour hardly knew it; nobody then took care to proclaim it; but now I am a rogue the whole world must witness it. My friends, I mean my Irish vagabonds, now say I was a

fool to believe them, for they told me at first they were knaves, and so I should find them, and really that I might have observed, if they had not mentioned a word of it. I would say something in my vindication, but my conscience is in my face, and points out my destiny. However, gentlemen, I leave this to your consideration : would not any man, the Drapier and such kind excepted, that was fed with the same hopes, do as I have done ? Would not any man cheat his brother, if he could, to gain so considerably ? I expected, by this time, it would have been at least Honourable Sir William Wood, Baronet, and that my Lady wife would have been no longer kitchen-maid. These you must confess, gentlemen, were arguments very prevailing. I did not strive to cheat Ireland for nothing ; I had many thousand valuable reasons for what I did ; I expected to coin all Munster into halfpence and farthings for my private use ; I had the seats in Ireland in my eye ready for purchasing ; in short, when all my brass was gone, I thought I should be nothing but gold and silver. But how unluckily are my hopes frustrated ; my patent almost turned to an indictment ; my title of Knight to that of a rogue ; my fine seats to Bristol Gaol, and my coach going to Parliament to a cart, I am afraid, travelling to Tyburn. While there was water between me and my accusation, I thought myself pretty secure ; but when I am arraigned in my own hearing, attacked in my own garrison, what can I expect ? The honourable Mr. Shippen (Lord that I should have the misfortune to deal with honest men) has emphatically condemned and executed me. He says he hopes to see my patent laid before the House, which is as much as to say, he hopes to see me hanged and gibbeted ; for that I shall certainly be, if it comes under their inspection. You will perhaps ask why I was a rogue, when it was in my power to hinder it, and why I did not go according to the rules of my patent, since my safety depended upon it. To this I answer, it was not to oblige Ireland but myself, that I got this patent. I thought I might easily have slipped in one barrel of mine among ten of yours ; I could not believe it was any way dishonest to cheat, so it was done cunningly ; much less did I ever expect to be called to account for it after ; for if my money had once been current, you should never have wanted change as long as there were men and mines in England."

Again, what could be more ludicrous and damaging to the poor knave than the letter ostensibly addressed to Wood *from his only Friend in Ireland?*—

... "Know then, Sir, I am that one who dare own myself your friend, and glory in being your admirer. Miserable ! That such an adept should not be adored among men, as the sun, for its glorious rays, is above all the planets. How have our wittings and little snarling scribblers been busy in setting the press at work ? But go on, Sir. They blacken their paper, and not you. That which many men have destroyed, great estates, and cracked their brains to find out (I mean the grand secret), and have burnt mountains of charcoal in making menstrua and tinctures, to transmute metals into gold, and are still as far from it as the longitude—you have, without all this cost and trouble, brought to perfection, that out of copper, nay, the basest of copper, can extract pure gold and silver, at above cent. per cent. profit. Monstrous gain ! Prodigious art ! and all this without the art of chemistry, only by greasing and daubing in a proper place. You shall be styled the High German Artist. . . . But let us for a while lay aside all our joys and thoughts of honour and grandeur, and turn our thoughts a little on answering our sorry politicians, who advance such paradoxes to injure you, when envy, only envy, is at the bottom. They cry out the nation will be undone by having too much money imported, and then they would fain draw all his Majesty's officers and servants into their quarrel, by saying the revenue will be lessened, and then all salaries will be ill-paid. Poor politicians ! They don't consider what a patriot you are, for you never began this project out of self-interest, but the good of his Majesty's dominions in general, and

for this country in particular. As for the latter, it will increase trade amongst us in several particulars, and consequently raise the revenue, for we shall have money enough, and we shall all drink wine—that or water, for we shall not have a brewing-pan left. It will advance the cooper's trade, which will be employed in making casks to hold your coin; it will advance house-rent, for every moneyed man, instead of a scriptore, or an iron chest, or strong box, must have a warehouse; it will also employ the poor, for every person must have a man or two to wait on him to carry the common expenses of the day."

APPENDIX XIIA

(See Chapter I, p. 27)

WILLIAM NATHANIEL MASSEY says in his *History of England*—

"This Bill, recommended as it was by policy, if not by humanity, in regard to the sister kingdom, and founded as it was on principles most conducive to the interest of the short-sighted and self-seeking traders, who threatened to become disloyal subjects if it were allowed to pass into law, shared the fate of many other good measures. All the provisions intended to afford scope to Irish industry and enterprise were omitted and some trifling concessions only were vouchsafed."

The relief was in truth insignificant, the act of grace being that cotton-yarn home-spun in Ireland might in future be imported into England duty free. Of this selfish, short-sighted commercial policy Newenham wrote—

"Under the paralyzing influence of the mercantile spirit, the Legislature of Britain really treated the people of Ireland, unprotected as they were by an independent Parliament, or rather wantonly and treacherously exposed to ill-treatment by a dependant and mercenary one, much worse than that Legislature did, or could have treated the people of any of those countries with which, in the vicissitudes of politics, it might frequently be engaged in war. In other words, it imprudently injured those who were destined to second it in its wars, much more than those who were likely to become its antagonists."

APPENDIX XII B

(See Chapter I, p. 30)

AMONG the resolutions, in the shape they were carried, were the following—

"Whereas, it has been ascertained that Volunteers, as such, cannot with propriety debate, or publish their opinions on political subjects, or on the conduct of Parliament or political men.

"Resolved, unanimously, that a citizen by learning the use of arms does not abandon any of his civil rights.

"Resolved, unanimously, that a claim of any body of men, other than the King, Lords, and Commons of Ireland, to make laws to bind this Kingdom, is unconstitutional, illegal, and a grievance.

"Resolved, with one dissenting voice only, that the powers exercised by the Privy Councils of both Kingdoms under, or under colour, or pretence of, the law of Poyning's are unconstitutional, and a grievance.

"Resolved, unanimously, that the ports of this country are by right open to all foreign countries not at war with the King; and that any burden thereupon

or obstruction thereto, save only by the Parliament of Ireland, are unconstitutional, illegal, and a grievance.

"Resolved, with one dissenting voice, that a Mutiny Bill not limited in point of duration, from session to session, is unconstitutional and a grievance.

"Resolved, unanimously, that the independence of judges is equally essential to the impartial administration of justice in Ireland as in England, and that the refusal or delay of this right to Ireland, makes a distinction where there should be no distinction, may excite jealousy where perfect union should prevail, and is in itself unconstitutional and a grievance.

"Resolved, with eleven dissenting voices only, that it is our decided and unalterable determination to seek a redress of these grievances, and we pledge ourselves to each other and to our country, as freeholders, fellow-citizens, and men of honour that we will, at every ensuing election, support those only who have supported, and will support, us therein, and that will use all constitutional means to make such our pursuit of redress, speedy and effectual.

"Resolved, with two dissenting voices only to this and the following resolution, that we hold the right of private judgment, in matters of religion, to be equally sacred in others as ourselves.

"Resolved, therefore, that as men and as Irishmen, as Christians and as Protestants, we rejoice in the relaxation of the penal laws against our Roman Catholic fellow subjects, and that we conceive the measure to be fraught with the happiest consequences to the union and prosperity of the inhabitants of Ireland."

APPENDIX XIII

(See Chapter I, p. 37)

THAT William Pitt was well aware of the genuineness of this Irish grievance, is proved by what he said in the House of Commons, when speaking, on February 22, 1785, in favour of ameliorating the commercial intercourse with Ireland—

"In treating this important question I beg leave to call the attention of the House to what has been and what is the relative situation of the two countries. It will recollect that, from the Revolution to a period within the memory of every man who hears me, indeed, until these very few years, the system has been that of debarring Ireland from the enjoyment and use of her own resources, to make the kingdom completely subservient to the interests and opulence of this country, without suffering her to share in the bounties of nature, in the industry of her citizens, or making them contribute to the general interests and strength of the Empire. This system of cruel and abominable restraint has however been exploded. It was at once harsh and unjust, and it was as impolitic as it was oppressive; for, however necessary it might be to the particular benefit of districts in Britain, it promoted not to the real prosperity and strength of the Empire. That which had been the system counteracted the kindness of Providence, and suspended the industry and enterprise of man." Ireland was put under such restraint that she was shut out from every species of commerce; she was restrained from sending the produce of her own soil to foreign markets, and all correspondence with the Colonies of Britain was prohibited to her, so that she could not derive their commodities but through the medium of Britain. This was the system which prevailed, and this was the state of thralldom in which that country was kept ever since the Revolution."¹

¹ *Speeches* in 3 vols., 1808.

The learned Thomas Newenham, in his *View of the Natural, Political, and Commercial Circumstances of Ireland*, corroborated the criticism of Pitt—

"To cramp, obstruct, and render abortive the industry of the Irish, were the objects of the British trader. To gratify commercial avarice, to serve Britain at the expense of Ireland, or to facilitate the government of the latter, were the varying objects of the British Minister. To keep down the Papists, cost what it would, and to augment their own revenue, by the public money, instead of urging the adoption of wise, liberal and patriotic measures calculated to quadruple the rents of their estates, were the objects of the reputed representatives of the Irish people; and to secure themselves from retaliation on the part of the Roman Catholics, whom they were encouraged to persecute and taught to dread, was the general object of the Irish gentry. . . . In reviewing the different Acts of the Parliaments of Great Britain and Ireland, which affected the trade of the latter, it will be found that the trade of a distinct kingdom, the trade of an essential part of the British Empire, was unsuitably, unjustly, unwisely, and oppressively limited like that of a colony; that the prosperity of Ireland was always sacrificed to that of Britain; that, with the exception of the linen, every valuable manufacture established in Ireland, or of the establishment or even introduction whereof there was any prospect, and which was likely to become in any degree a competitor, either in the home or foreign market, with a similar one undertaken in Britain, however insignificant, was industriously depressed; that the Irish were invariably obliged to give the preference to the produce of British industry; that, with the foregoing exception, no manufacture of Ireland was fairly received by Great Britain; that downright necessity alone occasioned the admission of even the rude produce of the former into the latter; that the Acts of the Irish Parliament which affected to aim at internal improvements calculated to enlarge the trade of the country, or which purported to be for the advancement of any lucrative species of enterprise, were, for the most part, merely illusive; that the commercial restraints which Ireland laboured under were most grievous and most numerous when the Roman Catholics were most overpowered; that the late, but happy liberation of the Irish trade, and the emancipation of the Irish Roman Catholics, were coeval and concurrent; and that there is sufficient reason to infer from the long and uninterrupted succession of these restrictive and illusive laws, that Ireland would have continued in a state of thralldom to this day, had it not been for an accidental occurrence of auspicious circumstances tending to promote the principles of union among Irishmen; and to give such effective energy to the popular voice, as was likely to insure a legislative compliance with the warrantable demands of a long betrayed and oppressed people."

Richard Cobden in his *Political Writings* writes in a similar strain—

"But whatever were the causes of early degradation of Ireland, there can be no doubt that England has during the last two centuries, by discouraging the commerce of Ireland—thus striking at the very root of civilization—rendered herself responsible for much of the barbarisms that afflict it.

"However much the conduct of England towards the sister island, in this particular, may have been dwelt upon for party purposes, it is so bad as scarcely to admit of exaggeration.

"The first restrictions put upon the Irish trade were in the reign of Charles II; and from that time down to the era when the united Volunteers of Ireland stepped forward to rescue their country from its oppressors (the only incident, by the way, in the chronicles of Ireland, deserving the name of a really national effort) our policy was directed, incessantly to the destruction of the foreign trade with that country. Every attempt at manufacturing industry, with one exception, was likewise mercilessly nipped in the bud. Her natural capabilities might, for example, have led the people to the making of glass; it was enacted, that no glass should be allowed to be

exported from Ireland, and its importation was also prohibited. Her soil calculated for the pasturing of sheep would have yielded wool equal to the best English qualities,—an absolute prohibition was laid on its exportation; and King William in addressing the British Parliament, declared ‘that he would do every thing in his power to discourage the woollen manufactures of Ireland.’ . . . If we add to this that a law was enacted, preventing beef or live cattle from being exported to England, some idea may be formed of the commercial policy of this country towards Ireland—a policy savouring more of the mean and sordid tyranny of the individual huckster over his poorer rival than of any nobler oppression that is wont to characterize the acts of victorious nations.”

Lord Dufferin, an Irish landlord, in his *Irish Emigration and the Tenure of Land in Ireland*, adds one more voice to the chorus of universal condemnation—

“From Queen Elizabeth’s reign until within a few years of the Union, the various commercial confraternities of Great Britain never for a moment relaxed their relentless grip on the trade of Ireland. One by one, each of our nascent industries was either strangled in its birth, or handed over, gagged and bound, to the jealous custody of the rival interest in England, until at last every fountain of wealth was hermetically sealed, and even the traditions of commercial enterprise have perished through desuetude.

“The owners of England’s pasture opened the campaign. As early as the commencement of the sixteenth century the beeves of Roscommon, Tipperary, and Queen’s County undersold the produce of the English grass counties in their own market. By an Act of the 20th of Elizabeth Irish cattle were declared a ‘nuisance,’ and their importation was prohibited. Forbidden to send our beasts alive across the Channel, we killed them at home, and began to supply the sister country with cured provisions. A second Act of Parliament imposed prohibitory duties on salted meats. The hides of the animals still remained, but the same influence soon put a stop to the importation of leather. Our cattle trade abolished, we tried sheep-farming. The sheep-breeders of England soon took alarm, and Irish wool was declared contraband by a Parliament of Charles II. Headed in this direction we tried to work up the raw material at home, but this created the greatest outcry of all. Every maker of fustian, flannel, and broadcloth in the country rose up in arms, and by an Act of William III the woollen industry of Ireland was extinguished, and 20,000 manufacturers left the island. The easiness of the Irish labour market, and the cheapness of provisions still giving us an advantage, even though we had to import our materials, we next made a dash at the silk business; but the silk manufacturer proved as pitiless as the woolstaplers. The cotton manufacturer, the sugar refiner, the soap- and candle-maker (who especially dreaded the abundance of our kelp), and any other trade or interest that thought it worth its while to petition was received with the same partial cordiality, until the most searching scrutiny failed to detect a single vent through which it was possible for the hated industry of Ireland to respire. But, although excluded from the markets of Britain, a hundred harbours gave her access to the universal sea. Alas! a rival commerce on her own element was still less welcome to England, and as early as the reign of Charles II the Levant, the ports of Europe, and the oceans beyond the Cape were forbidden to the flag of Ireland. The colonial trade alone was in any manner open—if that could be called an open trade which for a long time precluded all exports whatever, and from direct importation to Ireland such important articles as sugar, cotton and tobacco. What has been the consequence of such a system, pursued with relentless pertinacity for 250 years? This: that, debarred from every other trade and industry, the entire nation flung themselves back upon ‘the land’ with as fatal an impulse as when a river whose current is suddenly impeded rolls back and drowns the village it once fertilized. . . . But I

may be told this frantic clinging of the Irish to the land is natural to their genius, and not a result of commercial restrictions. History supplies the perfect refutation of such a theory. Though the hostile tariff of England comprehended almost every article produced in Ireland, one single exception was permitted. From the reign of William III the linen trade of Ireland has been free; as a consequence, at this day Irish linens are exported in enormous quantities to every quarter of the globe, and their annual value nearly equals half the rental of the island."

APPENDIX XIII A

(See Chapter I, p. 38)

THE eloquent Curran, speaking during the debate on Forbes' motion, and alluding to the sycophants who were thrown pensions as the price of their servility, said—

"This polyglot of wealth, this museum of curiosities, the pension list, embraces every link in the human chain; every description of men, women, and children, from the exalted excellence of a Hawke or Rodney, to the debased situation of the lady who humbly herself that she may be exalted. But the lessons it inculcates form its greatest perfection; it teaches that sloth and vice may eat that bread, that virtue and honesty may starve for after they have earned it. It teaches the idle and dissolute to look up for that support, which they are too proud to stoop to earn. It directs the minds of men to an entire reliance on the ruling power of the State, who feeds the ravens of the Royal aviary, that cry continually for food. It teaches them to imitate those saints on the pension list, that are like the lilies of the field, they toil not, neither do they spin, and yet are arrayed like Solomon in all his glory. In fine, it teaches a lesson, which indeed they might have learned from Epictetus, that it is sometimes good not to be over-virtuous; it shows, that in proportion as our distresses increase, the munificence of the Crown increases also; in proportion as our clothes are rent, the royal mantle is extended over us."

APPENDIX XIII B

(See Chapter I, p. 41)

GEORGE CORNEWALL LEWIS, in his *Local Disturbances in Ireland*, writes—

"At length the Defenders were partially dissolved, and partly absorbed into the body of United Irishmen, till they were finally lost in the more important movement which gave rise to the rebellion of 1798; since which time their society has been revived under the name of *Ribbonmen*.

"This rebellion, as is well known, was originally organized by Presbyterians in Belfast, and sprang from a sympathy with the French Revolution; the object of its promoters being to make Ireland, with the assistance of France, an *independent republic*. When it spread to the south-eastern counties, being an insurrection of the rest of the community against the governing class, it necessarily assumed the character of a war of Catholics against Protestants; which alarmed the Presbyterians of the north and deterred them from further participation in the rebellion of which they themselves had been the originators."

APPENDIX XIIIc

(See Chapter I, p. 50)

LORD EDWARD FITZGERALD, feckless and romantic, was the fifth son and twelfth child of the twentieth Earl of Kildare and first Duke of Leinster, and was born in London on October 15, 1763. His father married Lady Emilia Lennox, second daughter of the Duke of Richmond. After the Duke of Leinster's death Lord Edward's mother, who was then forty-two years of age, married Mr. William Ogilvie, her son's Scotch tutor, a match that caused astonishment, almost consternation, among those who had known and perhaps suffered at the hands of the proud and haughty duchess. The life of Lord Edward was not wanting in romance. During the American Civil War his life was saved by his negro servant "Tony," who nursed him after he had been wounded at the battle of Eutaw Springs. His first lady love was Lady Catherine Meade, the daughter of Lord Clanwilliam, who afterwards married Lord Powerscourt, and his second love affair, of which we have any record, was in connection with Miss Georgina Lennox, youngest daughter of his uncle, Lord George Lennox. Before marrying Pamela, an offer was made to him by Pitt and Dundas of brevet promotion and the command of an expedition to Cadiz, but he had just been returned by his brother, the Duke of Leinster, as member for the county of Kildare, and was informed of the fact almost the same day that the offer was made him, so he felt obliged to renounce the expedition, and went into Parliament. He then married the celebrated Pamela. According to one theory she was the daughter of Egalité Duc d'Orleans, by Madame Genlis, his children's governess. According to the other one, her name was Anne Caroline Stephanie Sims, a native of Fogo in Newfoundland, and daughter of Guillaume de Briscey and Mary Sims. She had a proposal of marriage from Sheridan, and was almost on the point of marrying him, it is said, but on her departure for Paris at the time his political duties prevented him from escorting her there, and thenceforth he seems to have allowed his flame to fizzle out. Lord Edward married Pamela in 1792, and on his return to England after his marriage found that his name had been struck off the list of officers, nominally for having given a subscription to the fund raised to enable the French to carry on the war against their invaders.

APPENDIX XIV

(See Chapter I, p. 51)

IN the same way the charges brought against the Catholic clergy were exaggerated, not only with the same disregard of truth, but with a similar indifference to justice. Goldwin Smith, in his *Irish History and Irish Character*, says—

"The leading Roman Catholics, both clerical and lay, were on the side of the Government. The mass of the Catholic priesthood were well inclined to take the same side. They could have no sympathy with an Atheist Republic, red with the blood of priests, as well as with the blood of a son of St. Louis. If some of the order were concerned in the movement, it was as demagogues, sympathizing with their peasant brethren, not as priests. Yet the Protestants insisted on treating the Catholic clergy as rebels by nature. They had assuredly done their best to make them so. The judicial assassination of Father Sheehy, a popular priest, for alleged complicity in the murder of a

man whose body never was found, and was proved by witnesses of good character to have left the kingdom, may be pronounced to have been as foul as any of the assassinations committed in the courts of Scraggs or Jeffreys."

One passage may be quoted from Curran's speech on account of its unanswerable indictment of Government methods and the dignity of its appeal to a common sense of justice—

"The learned counsel has asserted that the paper which he prosecutes (the *Press*) is only part of a system formed to misrepresent the state of Ireland and the conduct of its Government. Do you not therefore discover that his object is to procure a verdict to sanction the Parliaments of both countries in refusing all inquiry into your grievances? Let me ask you then, are you prepared to say, upon your oaths, that those measures of coercion which are daily practised are absolutely necessary, and ought to be continued? It is not upon Finnerty you are sitting in judgment; but you are sitting in judgment upon the lives and liberties of the inhabitants of more than half of Ireland. You are to say that it is a foul proceeding to condemn the Government of Ireland; that it is a foul act; founded in foul motives, and originating in falsehood and sedition; that it is an attack upon a Government under which the people are prosperous and happy; that justice is here administered with mercy; that the statements made in Great Britain are false—are the effusions of party and of discontent; that all is mildness and tranquillity; that there are no burnings, no transportations; that you never travel by the light of conflagrations; that the jails are not crowded month after month, from which prisoners are taken out, not for trial, but for embarkation! These are the questions upon which, I say, you must virtually decide. . . . I tell you, therefore, gentlemen of the jury, it is not with respect to Mr. Orr or Mr. Finnerty that your verdict is now sought; you are called upon, on your oaths, to say that the Government is wise and merciful, the people prosperous and happy; that military law ought to be continued; that the Constitution could not with safety be restored to Ireland; and that the statements of a contrary import by your advocates in either country are libellous and false. I tell you these are the questions; and I ask you if you can have the front to give the expected answer in the face of a community who know the country as well as you do. Let me ask you how you could reconcile with such a verdict the jails, the tenders, the gibbets, the conflagrations, the murders, the proclamations that we hear of every day in the streets, and see every day in the country? what are the processions of the learned counsel himself, circuit after circuit? Merciful God! what is the state of Ireland, and where shall you find the wretched inhabitant of this land? You may find him perhaps, in jail, the only place of security, I had almost said of ordinary habitation! If you do not find him there, you may see him flying with his family from the flames of his own dwelling—lighted to his dungeon by the conflagration of his hovel; or you may find his bones bleaching on the green fields of his country; or you may find him tossing on the surface of the ocean, and mingling his groans with those tempests, less savage than his persecutors, that drift him to relentless distance from his family and his home, without charge, or trial, or sentence."

The persecution that Curran so eloquently describes was all the more bitter to the Irish nation, for it was still true of them, as the poet, Edmund Spenser, had written of them 200 years before, that

"No people under the sun better loveth impartial justice."

APPENDIX XIVA

(See Chapter I, p. 51)

WILLIAM NATHANIEL MASSEY says of these horse-crushers—

“—the Government thought fit to place arms in the hands of 37,000 Protestant yeomanry, who admitted no Catholics into their ranks, and were suffered to assume the Orange ribbon—the insolent badge of Protestant ascendancy. The cruelties perpetrated by these men both before the rebellion, and while it was raging, and after it was suppressed, differed only in degree from the worst enormities of the French revolutionists. Under the authority to search for concealed arms, any person whom any ruffian, calling himself a Protestant and Loyalist, and either with or without a military uniform, chose to suspect or to pretend to suspect, was liable to be seized, tortured, and put to death. Hundreds of unoffending people, who were guilty of no other offence than professing the creed of their fathers or of letting fall a word of discontent, were flogged until they were insensible, or made to stand upon one foot on a pointed stake. These were ordinary tortures. Sometimes the wretched victim was half hanged, or the scalp was torn from the head by a pitched cap. Catholics, and reputed malcontents of the better class were subjected to still worse treatment. Militia and yeomanry, as well as the regular troops, were billeted on them at free quarters; and this billet appears to have been invariably construed as an unlimited licence for robbery, devastation, ravishment, and, in case of resistance, murder.”

APPENDIX XIVB

(See Chapter I, p. 52)

THERE were, indeed, grounds for these reports. On April 19, 1797, the people of Protestant Armagh, exasperated at the state of the country and the methods of suppressing the Catholic race, were convened by the high sheriff and addressed the following declaration to the King—

“The people are goaded to madness by accumulated miseries and oppression. Your subjects, Sire, are daily committed to prison for frivolous pretences, and innocent and unoffending men confined without hope of trial, liberation or redress. The richest and most populous province in the kingdom has been, in defiance of truth and justice, stigmatized and illegally treated as in a state of insurrection; our most useful citizens, torn from their families and dearest connections, are, without trial by jury, dragged to the fleet like the most atrocious felons and military coercion has taken the place of common law. Your Majesty's Ministers, Sire, ungenerously taking advantage of the restrictions, have too long propagated amongst us religious animosities and the fiery persecutions of merciless bigotry. Against these men at this moment, Sire, Irishmen of every persuasion lift up their voice with one accord. We arraign them of crimes at which humanity shudders, and from which Christianity turns an abhorrent eye.”

Protestant Antrim, which was likewise convened by its sheriff on May 8, repeated the charge—

“Your Ministers have laboured with the most remorseless perseverance to revive those senseless and barbarous religious antipathies, so fatal to morals and to peace. They have abrogated the people's rights, filled the land with spies and informers, and let loose upon your subjects all the horrors of licentious power and military force.”

APPENDIX XIVc

(See Chapter I, p. 55)

DR. MADDEN wrote of the outbreak of the insurrection—

"The rebellion did not break out till May 1798, and to use the memorable words of Lord Castlereagh, even then 'measures were taken by the Government to cause its premature explosion'; words which include the craft, cruelty, and cold-blooded, deliberate wickedness of the politics of a Machiavelli, the principles of a Thug, and the perverted tastes and feelings of a eunuch in the exercise of power and authority, displayed in acts of sly malignity and stealthy, vindictive turpitude, perpetrated on pretence of serving purposes of State."

This opinion was also held by the Secret Committee of the Lords, which sat to inquire into the causes of the rebellion in 1798. In their report they stated—

"That it appears, from a variety of evidence laid before your Committee, that the rebellion would not have broken out as soon as it did had it not been for the well-timed measures adopted by the Government subsequent to the proclamation by the Lord-Lieutenant and Council, bearing date March 30, 1798."

This has finally been placed beyond a doubt by letters of persons who wrote at the time which have since been published. Lady Sarah Napier writing in June 1796, from Celbridge, where she was living close to her sister, Lady Louisa Conolly, said, as may be seen in Lady Sarah Lennox's *Letters*, that she had never up to that time believed Ireland to be really in a bad way, "because I could not imagine upon what grounds to form the reasoning that actuates the Government to urge on a civil war with all their power. But since, from some unknown cause, it is their plan, I will do them the justice to say that they have acted uniformly well in it, and have nearly succeeded. They force insurrection *à tout bout de champ*."

APPENDIX XV

(See Chapter I, p. 58)

IN the debate on June 18, 1798, speaking at Westminster against the motion of Henry Dundas in favour of the militia being sent to Ireland to help suppress the rebellion, Richard Brinsley Sheridan said—

"When the Government of Ireland was agreeable to the wishes of the people, was there any discontent? After the prospect of that conciliation was taken away—after Lord Fitzwilliam was recalled—after the hopes which had been raised were blasted—when the spirit of the people was beaten down, insulted, despised, I will ask any gentleman to point out a single act of conciliation which has emanated from the Government of Ireland? On the contrary, has not that country exhibited one continual scene of the most grievous oppression, of the most vexatious proceedings; arbitrary punishments inflicted; and torture declared necessary by the highest authority in the sister kingdom next to that of the Legislature? And do gentlemen say that the indignant spirit which is roused by such exercise of government is unprovoked? Is this conciliation? Is this lenity? Has everything been done to avert the evils of rebellion? It is the fashion to say, and the address holds the same language, that the rebellion which now rages in the sister

kingdom has been owing to the machinations of 'wicked men.' Agreeing to the amendment proposed, it was my first intention to move that these words should be omitted. But no, Sir, the fact they assert is true. It is, indeed, to the measures of wicked men that the deplorable state of Ireland is to be imputed. It is to those wicked ministers who have broken the promises they held out; who betrayed the party they seduced into their views, to be the instruments of the foulest treachery that was ever practised against any people. It is to those wicked ministers who have given up that devoted country to plunder; resigned it a prey to this faction, by which it has so long been trampled upon, and abandoned it to every species of insult and oppression by which a country was ever overwhelmed, or the spirit of a people insulted, that we owe the miseries into which Ireland is plunged, and the dangers by which England is threatened. These evils are the doings of wicked ministers, and, applied to them, the language of the address records a fatal and melancholy truth. . . .

"Let gentlemen look back to the period when a whole people, under the government of Lord Fitzwilliam, exhibited the most fervent and sincere loyalty, and say whether they can discover any cause for the change which has taken place. After being betrayed, duped, insulted, fooled, disappointed in their dearest hopes, and deprived of the government on which they could confide, and again thrown into the hands of the rulers they detested and despised, was it impossible that they should feel emotions of indignation and discontent? . . .

"The struggle is one, not of local discontent and partial disaffection, but it is a contest between the people and the Government. In such a state of things, without entering into a particular inquiry, the fair presumption is, that the Government is to blame." (*Speeches* in 3 vols., 1842.)

APPENDIX XVI

(See Chapter I, p. 59)

JONAH BARRINGTON describes the rout thus—

"The troops were moved to a position, about a mile from Castlebar, which, to an unskilled person, seemed unassailable. They had scarcely been posted, with nine pieces of cannon, when the French appeared on the opposite side of a small lake, descending the hill in columns directly in front of the English. Our artillery played on them with effect. The French kept up a scattered fire of musketry, and took up the attention of our army by irregular movements. In half-an-hour, however, our troops were alarmed by a movement of small bodies, to turn their left, which, being covered by walls, they had never apprehended. The orders given were either mistaken or misbelieved; the line wavered, and in a few minutes, the whole of the royal army was completely routed; the flight of the infantry was as that of a mob, all the royal artillery was taken, our army fled to Castlebar, the heavy cavalry galloped amongst the infantry and Lord Jocelyn's Light Dragoons, and made the best of their way, through thick and thin, to Castlebar, and towards Tuam, pursued by such of the French as could get horses to carry them.

"About nine hundred French and some peasants took possession of Castlebar, without resistance, except from a few Highlanders, stationed in the town, who were soon destroyed. So violent was the panic of the British, that they never halted till they reached Tuam, forty miles from the field of battle. They lost the whole of their artillery—fourteen pieces—five stand of colours, and in killed, wounded, and prisoners, eighteen officers, and three hundred and fifty men—but the French calculated the loss of the enemy at six hundred.

The fugitives renewed their march, or rather flight, from Tuam on the same night, and proceeded to Athlone, where an officer of carbineers with sixty of his men arrived at one o'clock on Tuesday, the 29th, having performed a march of above seventy English miles—the distance of Athlone from Castlebar—in twenty-seven hours. The whole battle and rout are familiarly known to this day in Connaught as the 'Races of Castlebar.'

APPENDIX XVIIA

(See Chapter II, p. 61)

EVEN in the opinion of Thomas Newenham, a Loyalist, the rulers of Ireland had nursed the flames of rebellion in order more easily to effect an eventual Union; although he allowed that they possibly may have refrained from advisedly hatching a rebellion for the purpose. In his elaborate treatise upon the state of Ireland at the commencement of the nineteenth century, he writes—

"To affirm that the Government of Ireland facilitated the growth of rebellion, for the purpose of effecting the Union, would be to hold language not perhaps sufficiently warranted by facts. But to affirm that the rebellion was kept alive for that purpose, seems perfectly warrantable. The charge was boldly made, in the writer's hearing, during one of the debates on the Union, by an honourable gentleman who held a profitable place under the Crown. And to affirm, that that measure never would have been carried into effect, without the occurrence of a rebellion, similar, in respect of its attendant and previous circumstances, to that of 1798, is to advance what nineteen in twenty men who were acquainted with the political sentiments of the Irish people, at that time, will feel little difficulty in assenting to."

Miss Maria Edgeworth, who had studied Irish history and understood the character of the Irish people better perhaps than any other woman of her time, held much the same view.

APPENDIX XVIIb

(See Chapter II, p. 67)

MASSEY declares that—

"It was notorious that rebels, or reputed rebels, were subjected to the picket and the lash in Dublin itself, under the very shadow of the Castle. Beresford's Riding-house was the terror of the Catholic populace. In the old Custom-house, the Royal Exchange, and many of the barracks, there were daily and hourly exhibitions of torture."

Dr. Madden says the same thing—

"But it is in vain, utterly futile and fruitless, to deny the constant use of torture in 1797 and 1798, in the Riding-house, Marlborough Street, under the direction of John Claudius Beresford, and in the Prevost Prison in the Royal Barracks, then governed by Major Sandys, brother-in-law to Mr. Under-Secretary Cooke (Lord Castlereagh's chief official in the Secretary's office); occasionally, too, in the Royal Exchange, and in the small vacant space adjoining the entrance to the Upper Castle-yard, immediately behind the offices of Lord Castlereagh, and having on the opposite side the back

part of the Exchange, where, under the very windows of Lord Castlereagh's office, the triangles were set up for fastening the wretches to, who were flogged—tortured even to death."

Cornwallis, the Lord-Lieutenant, wrote to Portland in July 1798—

"The principal persons in this country and the members of both Houses of Parliament are, in general, averse to all acts of clemency. . . . The words Papists and priests are for ever in their mouths, and by their unaccountable policy, they would drive four-fifths of the community into irreconcilable rebellion."

Again a few days later, in a private letter to Ross, part of which has already been quoted, he says—

"The conversation of the principal persons of the country all tends to encourage this system of blood, and the conversation, even at my table, where you may suppose I do all I can to prevent it, always turns on hanging, shooting, burning, etc., etc., and if a priest has been put to death, the greatest joy is expressed by the whole company."

Yet the Catholics were expected to roll back the tide of nature and fondly lick the hand that so barbarously beat them.

APPENDIX XVIc

(See Chapter II, p. 68)

AND again to Ross on June 19—

"The demands of our friends rise in proportion to the appearance of strength on the other side. If Lord D.(ownshire) declares against us, many of our recruits will insist on higher bounty."

On June 28 he wrote to Portland—

"Among the many engagements which I have been obliged to contract in the event of the success of the legislative Union, I have promised to use my utmost efforts to obtain an earldom for Lord Kenmare."

On June 8 he wrote to Ross—

"When it is impossible to gratify the unreasonable demands of our politicians, I often think of the two lines of Swift, speaking of the Lord-Lieutenant and the system of corruption—

' And then at Beelzebub's great hall
Complains his budget is too small.' "

(Swift's passage runs thus—

" Thus to effect his monarch's ends,
From hell a Viceroy devil ascends
His budget with corruption crammed,
The contributions of the damned,
Which with unsparing hand he strews
Through courts and senates as he goes ;
And then at Beelzebub's black hall
Complains his budget is too small.")

And again—

"I trust that I shall live to get out of this most accursed of all situations, and most repugnant to my feelings. How I long to kick those whom my public duties oblige me to court."

APPENDIX XVII

(See Chapter II, p. 68)

THE incorruptible Grey in the English Parliament compared the trickery practised by Pitt to Buckingham's conduct in obtaining the Crown for Richard III; and felicitously quoted the well-known lines—

“Some followers of mine own
At lowest end o' the hall hurl'd up their caps,
And some ten voices cried, 'God save King Richard!'
And thus I took the 'vantage of those few.
'Thanks, gentle citizens and friends,' quoth I;
'This general applause and cheerful shout
Argues your wisdom and your love to Richard.'”

And he continued—

“I do not mean to speak disrespectfully of the Irish Parliament. But the facts are notorious. There are three hundred members in all, and one hundred and twenty of these strenuously opposed the measure; among whom were two-thirds of the County Members, the representatives of the City of Dublin, and almost all the towns which it is proposed shall send members to the Imperial Parliament. One hundred and sixty-two voted in favour of the Union—of those, one hundred and sixteen were placemen, some of them were English Generals on the Staff, without one foot of ground in Ireland, and completely dependent upon Government. Is there any ground, then, to presume that even the Parliament of Ireland thinks as the right honourable gentleman supposes; or that, acting only from a regard to the good of their country, the members would not have reprobated the measure as strongly and unanimously as the rest of the people? But this is not all; first let us reflect upon the arts which have been used since the last session of the Irish Parliament, to pack a majority in the House of Commons. All holding offices under Government, even the most intimate friends of the Minister, who had uniformly supported his Administration till the present occasion, if they hesitated to vote as directed, were dismissed from office, and stripped of their employments. Even this step was found ineffectual, *and other arts were had recourse to, which I cannot name in this place*; all will easily conjecture. A Bill for preserving the purity of Parliament was likewise abused, and no less than sixty-three seats were vacated by their holders having received nominal offices. I will not press this subject further upon the attention of the Committee. I defy any man to lay his hand upon his heart and say, that he believes the Parliament of Ireland was sincerely in favour of the measure.”

APPENDIX XVIIIA

(See Chapter II, p. 69)

GRATTAN concluded—

“The Constitution may be for a time so lost; the character of the country cannot be so lost. The Ministers of the Crown may perhaps at length find that it is not so easy to put down for ever an ancient and a respectable nation by abilities, however great, or by corruption, however irresistible. Liberty

may repair her golden beams and with redoubled heat animate the country. The cry of loyalty will not long continue against the principles of liberty. Loyalty is a noble, a judicious, and a capacious principle; but in these countries loyalty, distinct from liberty, is corruption, not loyalty. The cry of the connection will not, in the end, avail against the principles of liberty. . . . Yet I do not give up the country. I see her in a swoon, but she is not dead. Though in her tomb she lies helpless and motionless, there is still on her lips a spirit of life, and on her cheek a glow of beauty—

‘Thou art conquered: beauty’s ensign yet
Is crimson in thy lips and in thy cheeks,
And death’s pale flag is not advanced there.’

While a plank of the vessel sticks together, I will not leave her. Let the courtier present his flimsy sail, and carry the light bark of his faith, with every new breath of wind; I will remain anchored here, with fidelity to the fortunes of my country, faithful to her freedom, faithful to her fall.” (*Speeches*, in 4 vols., 1822.)

APPENDIX XVII_B

(See Chapter II, p. 70)

PLUNKET said—

“Sir,—I, in the most express terms, deny the competency of Parliament to do this act. I warn you, do not dare to lay your hands upon the Constitution. I tell you that if, circumstanced as you are, you pass this Act, it will be a mere nullity, and no man in Ireland will be bound to obey it. I make the assertion deliberately. I repeat it, I call on any man who hears me to take down my words. You have not been elected for this purpose. You are appointed to make laws, and not Legislatures. You are appointed to exercise the function of Legislators, and not to transfer them.

“You are appointed to act under the Constitution, and not to alter it; and if you do so, your act is a dissolution of the Government—you resolve society into its original elements, and no man in the land is bound to obey you. Sir, I state doctrines that are not merely founded on the immutable laws of truth and reason; I state not merely the opinions of the ablest and wisest men who have written on the science of Government; but I state the practice of our Constitution, as settled at the era of the revolution; and I state the doctrine under which the House of Hanover derives its title to the throne.

“For me, I do not hesitate to declare, that if the madness of the revolutionists were to tell me, ‘You must sacrifice British connection,’ I would adhere to that connection in preference to the independence of my country. But I have as little hesitation in saying, that if the wanton ambition of a Minister should assail the freedom of Ireland and compel me to the alternative, I would fling the connection to the winds, and clasp the independence of my country to my heart.”

APPENDIX XVII_C

(See Chapter II, p. 72)

CHARLES KENDAL BUSHE, appointed later Chief Justice of the King’s Bench, Ireland, said shortly before the Union was consummated—

“For centuries the British Parliament and nation kept you down,

shackled your commerce, and paralyzed your exertions, despised your characters and ridiculed your pretensions to any privileges, commercial or constitutional. She has never conceded a point to you which she could avoid, nor granted a favour which was not reluctantly distilled. They have been all wrung from her like drops of blood, and you are not in possession of a single blessing (except those which you derived from God) that has not been either purchased or extorted by the virtue of your own Parliament from the illiberality of England."

In the list of members of the last Irish House of Commons given by Sir Jonah Barrington in the appendix to his *Historic Memoirs of Ireland* the single word "incorruptible" is placed after Bushe's name.

Bushe was a fascinating speaker, witty, eloquent, expressive, with great charm of manner. Charles Philipps wrote of him, in his *Life of Curran*—

"For five consecutive hours I have listened to that man [in the Trimblestone case] and I was grieved when he sat down. During all that time he held alternately the passions, the understanding, and the senses captive—unwillingly captive to the might of his reasoning, the music of his diction, and the absolute enchantment of his exquisite delivery. A wit as well as an orator, Bushe is the delight of every social circle; and a model of domestic virtue, is the idol of his own."

William Conyngham Plunket said of him—

"He charms a verdict from the jury by the silent witchcraft of his look."

Henry Brougham, a critic difficult to please, wrote of him, in his *Statesmen*—

"His merit as a speaker was of the highest order. His power of narration has not perhaps been equalled. If any one would see this in its greatest perfection, he has only to read the inimitable speech on the Trimblestone cause. The narrative of Livy himself does not surpass that great effort. Perfect simplicity, but united with elegance; a lucid arrangement and unbroken connection of all the facts; the constant introduction of the most picturesque expressions, but never as ornaments; these, the great qualities of narration, accomplish its great end and purpose; they place the story and the scene before the hearer, or the reader, as if he had witnessed the reality."

APPENDIX XVII^D

(See Chapter II, p 73)

W. E. H. LECKY observes truly—

"The measure was an English one, introduced prematurely before it had been demanded by any section of Irish opinion, carried without a dissolution and by gross corruption, in opposition to the majority of the free constituencies, and to the great preponderance of the unbribed intellect of Ireland."

And again—

"The sacrifice of [Irish] nationality was extorted by the most enormous corruption in the history of representative institutions. It was demanded by no considerable section of the Irish people. It was accompanied by no signal political or material advantage; and it was effected without a dissolution, in opposition to the votes of the immense majority of the representatives of the counties and considerable towns, and to innumerable addresses from every part of the country. Can any impartial man be surprised that such a measure, carried in such a manner, should have proved unsuccessful?"

Richard Brinsley Sheridan, during a debate in 1799 upon the question of a Union, said much the same thing—

"It is impossible to conceive that the measure is palatable in Ireland, unless we can suppose that, having for 300 years endured the most inhuman insults, at last, when they had wrung from this country that which it was a shame to have deprived them of, they would freely, and without bias, give it up sixteen years afterwards; that they would surrender their rights, because it was the pleasure of a British Minister to propose that the Irish Parliament should no longer exist. This is a proposition which cannot be entertained."

And again, later in the same year—

"It is nothing to say that it is for the good of Ireland, if this good is thrust upon her by compulsion; intimidation of every kind is used to effect the object. Every placeman who dares to vote according to his own judgment is deprived of his place, and degraded still farther by being turned out of office. When such motives are addressed to men's minds, to induce them to submit to the views of the Minister, it is a mockery to say that no corruption and intimidation are used."

APPENDIX XVII E

(See Chapter II, p. 74)

W. E. H. LECKY says of Pitt in the eighth volume of his *History*—

"In my opinion, it is impossible by any legitimate argument to justify his conduct, and it leaves a deep stain upon his character both as a statesman and a man."

In 1886, in the House of Commons, Gladstone said of the Union—

"A Union of which I will not say anything more now than that I do not desire to rake up the history of that movement—a horrible and shameful history—for no epithets weaker than these can in the slightest degree describe or indicate ever so faintly the means by which, in defiance of the national sentiment of Ireland, consent to the Union was attained."

And again at West Calder in 1893—

"The Act of Union was carried by means so indescribably foul and vile that it can have no moral title for existence whatever, from any of the circumstances out of which it sprang."

And again, alluding to Grattan's Parliament—

"Whatever vices it had, and whatever defects it had, it had a true and genuine sentiment of nationality; and, gentlemen, the loss of the spirit of nationality is the heaviest and most deplorable and the most degrading loss that any country can undergo. In the Irish Parliament, with all its faults, the spirit of nationality subsisted, and I say with grief and shame that it is my own conclusion and my own conviction that the main object of the Irish Legislative Union on the part of those who planned it and brought it about was to depress and weaken, and, if possible, to extinguish the spirit of Irish nationality."

APPENDIX XVII F

(See Chapter II, p. 74)

SYDNEY SMITH wrote in 1807, in his *Letters of Peter Plymley*—

"Before you refer the turbulence of the Irish to incurable defects in their character, tell me if you have treated them as friends and as equals. Have you protected their commerce? Have you respected their religion? Have you been as anxious for their freedom as your own? Nothing of all

this. What then? Why, you have confiscated the territorial surface of the country thrice over; you have massacred and exported her inhabitants; you have deprived four-fifths of them of every civil privilege; you have made her commerce and manufactures slavishly subordinate to your own. And yet (you say) the hatred which the Irish bear you is the result of an original turbulence of character, and of a primitive, obdurate wildness, utterly incapable of civilization. . . . Nightly visits, Protestant inspectors, licences to possess a pistol, the guarding yourselves from universal disaffection by a police, a confidence in the little cunning of Bow Street, when you might rest your security upon the eternal basis of the best feelings; this is the meanness and madness to which nations are reduced when they lose sight of the first elements of justice, without which a country can be no more secure than it can be healthy without air."

APPENDIX XVIII

(See Chapter III, p. 81)

THERE is a heartrending note in the speech delivered by Sir Theobald Butler, who appeared with two others at the bar of the Irish House of Commons in opposition to the Bill, before it passed into law. In the course of a long indictment of the penal measure, he said, speaking of the disabilities a Catholic would henceforth be doomed to suffer—

"During my own life my estate shall be given to my son or other heir being a Protestant, though never so undutiful, profligate, extravagant, or otherwise undeserving; and I, that am the purchasing father, shall become tenant for life only to my own purchase, inheritance, and freehold, which I purchased with my own money; and such my son or other heir, by this act, shall be at liberty to sell or otherwise at pleasure to dispose of my estate, the sweat of my brows, before my face; and I that am the purchaser, shall not have liberty to raise one farthing upon the estate of my own purchase, either to pay my debts or portion my daughters (if any I have) or make provisions for my other male children, though never so deserving and dutiful; but my estate, and the issues and profits of it shall, before my face, be at the disposal of another, who cannot possibly know how to distinguish between the dutiful and undutiful, deserving and undeserving. Is not this, gentlemen, a hard case? I beseech you, gentlemen, to consider, whether you would not think it so, if the scale was changed, and the case your own, as it is like to be ours, if this Bill pass into a law.

"It is natural for the father to love the child; but we all know that children are but too apt and subject, without any such liberty as that Bill gives, to slight and neglect their duty to their parents; and surely such an Act as this will not be an instrument of restraint, but rather encourage them more to it.

"It is but too common with the son who has a prospect of an estate, when once he arrives at the age of one-and-twenty, to think the old father too long in the way between him and it; and how much more will he be subject to it, when by this Act he shall have liberty, before he comes to that age, to compel and force my estate from me, without asking my leave, or being liable to account with me for it, or out of his share thereof, to a moiety of the debts, portions, or other incumbrances with which the estate might have been charged, before the passing of this Act.

"Is not this against the laws of God and man; against the rules of reason and justice, by which all men ought to be governed? Is not this the only way in the world to make children become undutiful, and to bring the gray head of the parent to the grave with grief and tears?

"It would be hard from any man ; but from a son, a child, the fruit of my body, whom I have nursed in my bosom and tendered more dearly than my own life, to become my plunderer, to rob me of my estate, to cut my throat, and to take away my bread, is much more grievous than from any other ; and enough to make the most flinty of hearts to bleed to think on't. And yet this will be the case if this Bill pass into a law ; which I hope this honourable assembly will not think of when they shall more seriously consider, and have weighed these matters.

"For God's sake, gentlemen, will you consider whether this is according to the golden rule, to do as you would be done unto ? And if not, surely you will not, nay you cannot, without being liable to be charged with the most manifest injustice imaginable, take from us our birthrights and invest them in others before our faces."

APPENDIX XIX

(See Chapter III, p. 85)

ARTHUR YOUNG, no mean or prejudiced authority, wrote—

"The great body of the people, stripped of their all, were more enraged than converted, they adhered to the persuasion of their forefathers with the steadiest and most determined zeal ; while the priests, actuated by the spirit of a thousand inducements, made proselytes among the common Protestants in defiance of every danger. And the great glaring fact yet remains, and is even admitted by the warmest advocates of the laws of discovery, that the established religion has not gained upon the Catholic in point of numbers ; on the contrary, that the latter has been rather on the increase. I have conversed on the subject with some of the most distinguished characters of the kingdom, and I cannot after all but declare that the scope, purport, and aim of the laws of discovery, as executed, are not against the Catholic religion, which increases under them, but against the industry and property of whoever professes that religion. In vain has it been said that consequence and power follow property, and that the attack is made in order to wound the doctrine through its property. If such was the intention, I reply, that seventy years' experience proves the folly and futility of it. Those laws have crushed all the industry and wrested most of the property from the Catholics, but the religion triumphs ; it is thought to increase. The system pursued in Ireland has had no other tendency but that of driving out of the kingdom all the personal wealth of the Catholics, and prohibiting their industry within it. The face of the country, every object in short, which presents itself to the eye of a traveller, tells him how effectually this has been done. I urge this not as an argument, the whole country speaks it as a fact."

And in another place—

"But it seems to be the meaning, wish, and intent of the discovery laws, that none of them (the Irish Catholics) should ever be rich. It is the principle of that system that wealthy subjects would be nuisances ; and therefore every means is taken to reduce, and keep them in a state of poverty. If this is not the intention of these laws, they are the most abominable heap of self-contradictions that ever were issued in the world. They are framed in such a manner that no Catholic shall have the inducement to become rich. . . . Take the laws and their execution into one view, and this state of the case is so true, that they actually do not seem to be so much levelled at the religion, as at the property that is found in it. . . . The domineering aristocracy of 500,000 Protestants feel the sweets of having 2,000,000 of slaves ; they have not the least objection to the tenets of that religion which

keeps them by the law of the land in subjection ; but property and slavery are too incompatible to live together ; hence the special care taken that no such thing should arise among them."

Listen to Burke in *Tracts on the Popery Laws*—

"But, say the abettors of our Penal Laws, this old possessed superstition is such in its principles, that society, on its general principles, cannot subsist along with it. . . . We found the people heretics and idolaters ; we have, by way of improving their condition, rendered them slaves and beggars ; they remain in all the misfortune of their old errors, and all the superadded misery of their recent punishment. They were happy enough, in their opinion at least, before the change ; what benefits society then had, they partook of them all. They are now excluded from these benefits ; and so far as civil society comprehends them and as we have managed the matter, our persecutions are so far from being necessary to its existence, that our very reformation is made in a degree noxious. If this be improvement, truly I know not what can be called a depravation of society."

Again, writing to Sir Hercules Langrishe, in 1792, of the action of the Protestants in Ireland—

"Their declared object was to reduce the Catholics of Ireland to a miserable populace, without property, without estimation, without education. The professed object was to deprive the few men who, in spite of those laws, might hold or obtain any property amongst them, of all sort of influence or authority over the rest. They divided the nation into two distinct bodies, without common interest, sympathy, or conviction. One of these bodies was to possess *all* the franchises, *all* the property, *all* the education ; the other was to be composed of drawers of water and cutters of turf for them. Are we to be astonished, when, by the efforts of so much violence in conquest, and so much policy in regulation, continued without intermission for near an hundred years, we had reduced them to a mob ; that whenever they came to act at all, many of them would act exactly like a mob, without temper, measure, or foresight ? All the penal laws of that unparalleled code of oppression, which were made after the last event (the reduction of Ireland in 1691) were manifestly the effects of national hatred and scorn towards a conquered people ; whom the victors delighted to trample upon, and were not at all afraid to provoke. They were not the effect of their fears, but of their security. They who carried on this system, looked to the irresistible force of Great Britain for their support in their acts of power. They were quite certain that no complaints of the natives would be heard on this side of the water, with any other sentiments than those of contempt and indignation. Their cries served only to augment their torture. Machines which could answer their purposes so well must be of an excellent contrivance. Indeed, in England the double name of the complainants, Irish and Papists (it would be hard to say which singly was the most odious), shut up the hearts of every one against them. Whilst that temper prevailed, and it prevailed in all its force to a time within our memory, every measure was pleasing and popular, just in proportion, as it tended to harass and ruin a set of people who were looked upon as enemies of God and man ; and indeed as a race of bigoted savages who were a disgrace to nature itself. . . . If such are the Catholics of Ireland—ill-natured and unjust people, from our own data, may be inclined not to think better of the Protestants of a soil, which is supposed to infuse into its sects a kind of venom unknown in other places. . . . it (the penal code) was a complete system, full of coherence and consistency, well digested and well composed in all its parts. It was a machine of wise and elaborate contrivance ; and as well fitted for the oppression, impoverishment, and degradation of a people, and the debasement, in them, of human nature itself, as ever proceeded from the perverted ingenuity of man."

Even Blackstone, the author of the *Commentaries*, says—

"This is a short summary of the laws against the Papists, under three

several classes of persons professing the Popish religion, Popish recusants, convict, and Popish priests; of which the President Montesquieu observes, that they are so rigorous, though not professedly of the sanguinary kind, that they do all the hurt that can possibly be done in cold blood. But in answer to this, it may be observed (what foreigners who only judge from our statute-book are not fully apprised of), that these laws are seldom exerted to their utmost rigour; and indeed if they were, it would be very difficult to excuse them, for they are rather to be accounted for from their history, and the urgency of the times that produced them, than to be approved (upon a cool review) as a statutory system of law."

Richard Brinsley Sheridan, in a debate upon the state of Ireland on August 18, 1807, said—

"The fact is, that the tyranny practised upon the Irish has been throughout unremitting. There has been no change but in the manner of inflicting it. They have had nothing but variety in oppression, extending to all ranks and degrees of a certain description of the people. If you would know what this varied oppression consisted in, I refer you to the penal statutes you have repealed, and to some of those which still exist. There you will see the high and the low equally subjected to the lash of persecution; and still some affect to be astonished at the discontents of the Irish. But with all my reluctance to introduce anything ludicrous upon so serious an occasion, I cannot help referring to a little story which those very astonished persons call to my mind. It was with respect to an Irish drummer, who was employed to inflict punishment upon a soldier. When the boy struck high, the poor soldier exclaimed, 'Lower, bless you,' with which the boy complied. But soon after the soldier exclaimed, 'Higher, if you please.' But again he called out, 'A little lower,' upon which the accommodating boy addressed him—'Now, upon my conscience, I see you are a discontented man; for, strike where I may, there's no pleasing you.' Now your complaint of the discontents of the Irish appears to me quite as rational, while you continue to strike, only altering the place of attack." (*Speeches*, in 3 vols., 1842.)

Listen to Canning. On the claims of the Catholics being brought before Parliament in 1812, after recounting the many evils under which Ireland had suffered, he said, on June 22, of the old penal laws—

"Subsequently to the revolution, and up to the period at which the last penal law was passed, the principle upon which the system has proceeded has been calculated to stunt the growth, to destroy the moral energies, and to cramp the industry of the Irish Catholic population; to keep the mass of the people of Ireland, for such they may be called, in poverty and ignorance, for the purpose of ensuring their submission."

Again, on March 16, during the debate in 1821 on the Roman Catholic Disability Removal Bill—

"The penal laws against the Catholics of Ireland dated from the conquest of that kingdom by William III. . . . From that (Protestant) Parliament emanated a series of laws, such as had not previously existed in the records of legislation—laws, the framers of which seemed to have taxed their imagination to find out the sore points of human nature to which they might apply them as corrosives—laws which counteracted all the feelings of nature, destroyed all the comforts of families so long as they existed: and exist they did, until the fourteenth year of the reign of George III, all in full force and undiminished vigour. . . . Through their operation there was no faith in kindred, no social intercourse of friendship, no security in any of the relations of domestic life. In 1774 came the first relaxation of this accursed system, the first breathing of a mighty thaw upon that accumulated mass of cold and chilling enactments, which till then had congealed and benumbed a nation. . . . The first relaxation, that omen of returning spring, enabled the Papist, notwithstanding his belief in transubstantiation, to rent—oh, mighty indulgence! fifty acres of bog! This relaxation was found to succeed so

well, the Protestant establishment continued so firm under the shock of it, that Parliament allowed them afterwards to take a lease for the sixty years."

And again, on April 21, during the debate in 1825 on the Roman Catholic Relief Bill—

"The rack, sir, is a horrible engine, but it is a beautiful piece of mechanism; so, the penal code was dreadful, but it was admirably adapted to its use. It set children against their parents, wives against their husbands, brother against brother, servants against their masters, and the hand of every man against his kindred and his kind. It entered into and dissevered all the relations of domestic and social life. It, in the result, impoverished, degraded, brutified, and paralysed the whole Catholic population of Ireland; and plunged them into the most abject state of moral as well as political debasement." (*Speeches*, 6 vols., 1836.)

Listen to Grattan, during the debate on a Roman Catholic Petition on May 31, 1811—

"What says the decalogue? Honour thy father. What says the penal code? Take away his estate! Again, says the decalogue, Do not steal. The law on the contrary proclaims, you may rob a Catholic! The great error of our policy is, that it presupposes that the original rights of our nature may be violated with impunity, in imagining that a transgression of natural law can be punished only hereafter. But there is an immediate as well as a future retribution, and a remedy provided by natural causes for this obstruction of natural justice. The early effect of the promulgation of the penal code in Ireland was to confound tyrant and slave, Protestant and Catholic, in one common mass of misery and insignificance."

And again elsewhere—

"The close of the seventeenth century was the commencement of the penal code; that was the age in which a law passed in England to deprive Ireland of her trade, to prohibit in Ireland the export of her woollen trade; that was the age in which a law passed in England to subject the Irish concerned in that export; to be taken from Ireland, and tried, fined, and confined in England; that was the age in which a Bill passed to deprive the Irish lords of their judicature, and to establish the power of the British Parliament to make law for Ireland.

"Having thus disposed of her liberty, see the effect of this policy on her fortunes. After an experiment of near eighty years (a time long enough for the exercise of all its virtues), that is about 1779, the people and the Government were both ruined. The Irish Government could not pay its establishment, its establishment was at that time remarkably low, for four thousand of our troops were taken off the Irish list. The Irish Government could not pay that reduced establishment; the Irish Government borrowed £20,000 from a private gentleman of that country, to give the army bread; the Irish Government consult the Commissioners of the Revenue in that distress, the Commissioners answer—that answer is remarkable: to a question put by the Government touching the cause of our distress, they reply, that among other causes, one was to be found in the following fact, namely, that the Irish had ceased to quit the country, and that the American war had stopped emigration. The cause was as the Commissioners had mentioned: we could not feed our inhabitants, and we banished them; we were restrained from the export of our manufactures, and we found relief by exporting our people. The Irish Government then assemble the Irish Parliament; the Parliament reply that nothing but a free trade could save a nation from impending ruin; a nation possessed of above seventeen millions of acres, a temperate climate, a fertile soil, without the visitations of plague, pestilence, or famine, and without any enemy in the country except her laws, precipitated on immediate ruin! Such were the effects of the penal code and its concomitants, or rather such were the judgments of God on the land that has passed

such a code, judgments inflicted by her Maker, and declared by her Parliament." (*Speeches*, in 4 vols., 1822.)

Speaking of this period Sir George Cornewall Lewis wrote, in 1836—

"According to the prevailing system, which has to a greater or less extent been acted upon nearly up to the present day, every Irish Catholic was presumed to be disaffected to the State, and was treated as an open or concealed rebel; the entire Government was carried on by the Protestants, and for their benefit, and the Protestants were considered the only link between England and Ireland. The English thought it for their interest that Ireland should belong to them, and they supported the Irish Protestants in oppressing the Irish Catholics, who, it was assumed, without that oppression would throw themselves into the arms of France. At the same time that the wide and impassable line was drawn by the law between the two religions in Ireland, and the one persuasion was made a privileged, the other an inferior class, the whole of Ireland was treated as a province or colony, whose interests were to be sacrificed to those of the mother country."

Matthew Arnold in his *Irish Essays* wrote of the treatment of the Irish people under the penal code—

"A treatment much worse than Louis the Fourteenth's treatment of French Protestantism, much worse, even, than the planters' treatment of their slaves, and yet maintained without scruple by our religious people, while they were invoking the vengeance of heaven on Louis the Fourteenth, and were turning up their eyes in anguish at the ill-usage of the distant negro."

APPENDIX XX

(See Chapter III, p. 88)

GRATTAN said, on February 20, during the debate upon these Bills—

"Three years ago, when this question was debated in this House, there was a majority of three against granting Catholics estates in fee, and they were only allowed to take leases of 999 years. The argument then used against granting them the fee was, that they might influence elections. It has this day been shown that they may have as effectual an influence by possessing leases of 999 years as they can have by possessing the fee. At that time, we might have been somewhat prejudiced against granting Roman Catholics estates in fee, but their conduct since that period should fully convince us of their true attachment to this country. When this country had resolved no longer to crouch beneath the burden of oppression that England had laid upon her; when she armed in defence of her rights, and a high-spirited people demanded a free trade, did the Roman Catholics desert their countrymen? No; they were found amongst the foremost. When it was afterwards thought necessary to assert a free constitution, the Roman Catholics displayed their public virtue; they did not endeavour to take advantage of your situation; they did not endeavour to make terms for themselves, but they entered frankly and heartily into the cause of their country; judging by their own virtue, that they might depend upon your generosity for their reward. But now, after you have obtained a free trade, after the voice of the nation has asserted her independence, they approach this House as humble suppliants, and beg to be admitted to the common rights of men. Upon the occasions I have mentioned, I did carefully observe their actions, and did then determine to support their cause whenever it came before the House, and to bear a strong testimony of the constitutional principles of the Catholic body. Nor should it be mentioned as a reproach to them that they fought under the banner of King James, when we recollect that before they entered the field, they extorted from him a Magna Charta,

a British Constitution. . . . In 1779, when the fleets of Bourbon hovered on our coasts, and the Irish nation roused herself to arms, did the Roman Catholics stand aloof? Or did they, as might be expected from their oppressed situation, offer assistance to the enemy? No, they poured in subscriptions for the service of their country, or they pressed into the ranks of her glorious Volunteers.

"It has been shown that this clause grants the Roman Catholics no new power in the State. Every argument, therefore, which goes against this clause goes against their having leases for 999 years, every argument which goes against their having leases for 999 years, goes against their having leases at all, and every argument which goes against their having property, goes against their having existence in this land.

"The question is now, whether we shall grant Roman Catholics the power of enjoying estates—whether we shall be a Protestant settlement or an Irish nation? Whether we shall throw open the gates of the temple of liberty to our countrymen, or whether we shall confine them in bondage by penal laws? So long as the Penal Code remains, we shall never be a great nation. The Penal Code is the shell in which the Protestant power has been hatched, and now it has become a bird, it must burst the shell or perish in it. . . . I give my consent to the clause in its principle, extent, and boldness; I give my consent to it as the most likely means of obtaining a victory over the prejudices of Catholics, and over our own. I give my consent to it, because I would not keep two millions of my fellow-subjects in a state of slavery; and because, as the mover of the Declaration of Rights, I should be ashamed of giving freedom to but six hundred thousand of my countrymen, when I could extend it to two millions more.

"If you love the Roman Catholic, you may be sure of a return from him; but if you treat him with cruelty, you must always live in fear, conscious that you merit his just resentment. Will you then go down the stream of time the Roman Catholic sitting by your side un blessing and un blessed, blasting and blasted? Or will you take off his chain that he may take off yours, will you give him freedom, that he may guard your liberty?"

Burke, commenting in a *Letter to a Peer of Ireland* upon these Acts and their insufficiency as a measure of justice to the Catholics, wrote—

"To look at the Bill, in the abstract, it is neither more nor less than a renewed act of universal, unmitigated, indispensable, exceptionless disqualification. One would imagine, that a Bill, inflicting such a multitude of incapacities had followed on the heels of a conquest, made by a very fierce enemy, under the impression of recent animosity and resentment. No man, on reading that Bill, could imagine that he was reading an Act of amnesty and indulgence. . . . This I say on memory. It, however, still recites the oath, and that Catholics ought to be considered as good and loyal subjects to His Majesty, his Crown, and Government. Then follows a universal exclusion of those good and loyal subjects from every, even the lowest, offices of trust and profit; from any vote at an election; from any privilege in a town corporate; from being even a freeman of such corporations; from serving on grand juries; from a vote at a vestry; from having a gun in his house; from being a barrister, attorney, or solicitor, etc., etc., etc.

"This has surely more the air of a table of proscriptions, than an act of grace. What must we suppose the laws concerning those good subjects to have been, of which this is a relaxation? . . . When a very great portion of the labour of individuals goes to the State, and is by the State again refunded to individuals through the medium of offices, and in this circuitous progress from the private to the public, and from the public again to the private fund, the families from whom it is taken are indemnified, and an equitable balance between the Government and the subject is established. But if a great body of the people who contribute to this State lottery are excluded from all the prizes, the stopping the circulation with regard to them

may be a most cruel hardship, amounting in effect to being double and treble taxed, and will be felt as such to the very quick by all the families high and low, of those hundreds of thousands who are denied their chance in the returned fruits of their own industry. This is the thing meant by those who look upon the public revenue only as a spoil; and will naturally wish to have as few as possible concerned in the division of the booty. If a State should be so unhappy as to think it cannot subsist without such a barbarous proscription, the persons so proscribed ought to be indemnified by a remission of a large part of their taxes, by an immunity from the offices of public burden, and by an exemption from being pressed into any military or naval service. . . . Why are they (Catholics) excluded from the law? Do not they expend money in their suits? Why may they not indemnify themselves, by profiting, in the persons of some, for the losses incurred by others? Why may they not have persons of confidence, whom they may, if they please, employ in the agency of their affairs? The exclusion from the law, from grand juries, from sheriffships, and under-sheriffships, as well as from freedom in any corporation, may subject them to dreadful hardships, as it may exclude them wholly from all that is beneficial, and expose them to all that is mischievous in a trial by jury."

APPENDIX XXI

(See Chapter III, p. 92)

"CATHOLICS," he said, "have a right, as the law stands, to set up and establish schools in every part of the kingdom for the education of their youth; let that content them, and let them not expect to obtrude themselves into the participation of the emoluments of a University founded and partly endowed by Elizabeth, the great patroness of the reformed religion, and whose endowments have been augmented by our successive monarchs for the sole purpose of planting in this kingdom a learned Protestant colony for the education of a pious ministry, and the supply of missionaries to reclaim the benighted and ignorant natives from the errors of Popery. God forbid that I should ever see the pious intentions of the Royal founders frustrated by the conversion of this seminary and its revenues to the support and encouragement of Popery, or its hallowed walls made the residence of superstition and treason. . . . There is scarce a title of a Protestant nobleman or gentleman in this kingdom to his estate which is not derived either mediately or immediately from the grants of Elizabeth, of William and Mary, or under the Acts of Settlement and Explanation. The Irish Catholics, to a man, esteem all Protestants as usurpers of their estates. They to this day settle these estates on the marriage of their sons and daughters. They have accurate maps of them. They published in Dublin, within ten years, a map of the kingdom, cantoned out amongst the old Irish proprietors. They look to political power to enable them to assert their claims with effect, which they will do if ever they have power, not by tedious forms of law or Acts of Parliament, but by the sword. They abhor all Protestants and all Englishmen as plunderers and oppressors, exclusive of their detestation of them on a religious account—no nation on earth being more wedded to the Romish superstition than the generality of Irish Catholics. They have but one word in their language to signify both Protestant and Englishman, to wit, 'Sacconach.' If, then, the Parliament of this kingdom can ever be so infatuated as to put the Irish Catholics on the same footing of civil privileges with the English Catholics, or on better, and if the English nation shall ever countenance such a frenzy, the direct and immediate consequence (exclusive of the utter ruin of all the Irish

Protestants) must be either that the kingdom will be for ever severed from the British Empire, or that it must be again conquered by a British army; for in truth the Protestants in Ireland are but the British garrison in an enemy's country, and if entirely deserted by the parent State must surrender at discretion, through now with very little help they are still able to repel the common enemy."

Never was the Irish case more characteristically stated by a member of the Ascendancy. The Protestants in Ireland at that time were of a truth the British garrison in an enemy's country; and as a garrison they lived, feeding upon the land, cut off from all sympathy with the inhabitants, and ever on the look out for some opportunity to spring a surprise upon, or deal a blow at, the population of the unhappy island in which they were planted as a sort of perpetual police.

APPENDIX XXII

(See Chapter III, p. 95)

DURING the debate on May 14 on the Order of the Day for taking it into consideration, Charles James Fox said—

"You now receive into your army Irish Roman Catholics: but what might not be expected from the zeal and gratitude of a nation famed for warmth of temper and generosity, fondly exulting in a triumph obtained over illiberality and prejudice? All your other supplies would be little rivulets compared to this great ocean of military resource. . . . We are only weak in our population. Why, then, do we hesitate to adopt a measure which would afford us so powerful a reinforcement? In this age foreign conquests have been less valued than they were in former times; but if conquests deserved to be ever so much esteemed, what conquest could equal the true glory of solid advantage of reacquiring one-fourth of your population? What prospect can be more consolatory than that of thus adding to your strength that which cannot now be called a part of your strength, but may be rather named a part of your weakness? The Protestant Ascendancy has been compared to a garrison in Ireland. It is not in our power to add to the strength of this garrison, but I would convert the besiegers themselves into the garrison. How can you suppose that these four millions of men should feel themselves in the situation of the other twelve millions, which form the population of the British Empire? They know that they furnish you with recruits, from whom you may with reluctance choose sergeants; they send you officers, but they know that they can never rise to the ranks of generals. They supply you with sailors, who can never advance to any eminence in their profession. How different would our policy be, how different our situation be in a military point of view, were the means I propose adopted! There would be no differences, no discontents: but all the subjects of the Empire, enjoying equal rights, would join with one heart and one mind in its defence. I am sanguine in believing that these equal rights and laws will be granted to the Roman Catholics. I am even sanguine enough to believe that many bad consequences which might be expected to result from a refusal of them, will not follow a rejection of this petition. I rely on the affection and loyalty of the Roman Catholics of Ireland; but I would not press them too far, I would not draw the cord too tight. It is surely too much to expect that they will always fight for a Constitution in the benefits of which they are not permitted to participate. No permanent advantage can arise from any measure, except that which will restore them to the full enjoyment of equal rights with their fellow citizens. In the present situation of Europe, and when the designs of the enemy are considered, Ireland is a

place where the active exertions of this country may be required ; and this is one of the grounds on which I am anxious that the motion which I am about to propose should be acceded to." (*Speeches*, in 6 vols., 1815.)

APPENDIX XXIII

(See Chapter III, p. 96)

As Lord Darnley said on the 13th of May, 1805, in the House of Lords, as can be read in William Cobbett's *Parliamentary Debates*—

"In 1778 some of the most galling and degrading parts of the code of popery laws was abrogated. In 1782 the Catholics were admitted to the rights of property ; and finally, in 1793, everything that remained, including many important and civil rights, was granted, with the exception only of those privileges for which they now petition. During the present reign, the Catholics of Ireland have, undoubtedly, received great and important advantages ; but I cannot agree with those who are so forward to tax them with ingratitude, when I consider the manner in which these concessions were made, especially the last and most important ones in 1793. Indeed they all appear to have proceeded rather from the fear of irritation in times of difficulty than from anything like an enlarged and liberal system of policy, but this observation applies particularly to the last concessions. Your Lordships all recollect the manner in which the French Revolution had unsettled men's minds, and the wild theories of liberty and equality which were generally entertained. The Irish Catholics, as might reasonably be expected, thought the moment favourable for urging their claims ; and, in consequence, they petitioned the Parliament of that country, in the year 1792, to grant the remaining privileges which they now enjoy ; the Irish Parliament rejected their application with scorn, by a division of 228 to 23. During the next recess, all the Protestant gentlemen throughout the country, corporations and grand juries, backed by the authority of Government, pledged themselves to support the vote of Parliament ; and yet, in the very beginning of the following year, the same Parliament and the same Government, almost unanimously and tamely conceded what they had a few months before so contumeliously rejected, no circumstance having intervened, except an increase of public difficulties, increased boldness of the Catholics, and this inconsistent change in the conduct of Government. Can it be expected that they should feel any very lively sentiments of gratitude for favours so refused and so granted ? When the Union was in agitation, I stated this instance of maladministration in the Government, and profligate inconsistency in the Parliament of Ireland, as sufficient alone to justify that great measure ; and I now again state it, to prove how little reason the Catholics have for very warm gratitude to those who so conferred the favours they have received."

APPENDIX XXIV

(See Chapter III, p. 96)

DANIEL O'CONNELL was born on August 6, 1775, at Carhen House, a mile from Cahirciveen, the capital of Iveragh and Dunkerron, and sixteen miles from Darrynane Abbey, where he spent his youth. According to a less credible tradition he first saw the light in Castlequinn, the other side of Cahirciveen, where his mother gave birth to him with unexpected suddenness in the hut of a ferryman. The two best known incidents of his life,

before he became celebrated as a politician, were his defence in the Magee case and his duel with D'Esterre. The Magee case occurred in 1813. The *Dublin Evening Post*, which was published three times a week, was owned by a Presbyterian family of the name of Magee. In May 1813 it published a long article by John Finlay, a barrister and member of the Catholic Board, hostilely reviewing the retiring Lord-Lieutenant, the Duke of Richmond. Proceedings were instituted against Magee, and the trial came on on July 26, 1813, in the Court of King's Bench, Four Courts, Dublin. The president of the Court was Chief Justice Downes, and the prosecution was led by the Attorney-General, William Saurin, who had opposed the Union, although averse to Catholic Emancipation. Saurin was assisted by Charles Kendal Bushe, the Solicitor-General, who had been an opponent of the Union, but an advocate of Catholic Emancipation. For the defence were Daniel O'Connell, William Wallace, John Finlay, and Charles Phillips, all Protestant members of the Bar. The jury returned a verdict of guilty. A motion to set aside the verdict was entered, and sentence postponed, but meanwhile Magee was committed to Kilmainham Jail. On November 24 the motion to set aside the verdict was decided adversely to the traversers, and on November 27 Magee was brought up for judgment. He was sentenced to a fine of £500, to imprisonment for two years, and to find security for his good behaviour for seven years—himself in the sum of £1,000, and his two sureties in the sum of £500 each. But Magee had another charge of libel against him arising out of O'Connell's defence of him. At a Catholic meeting at Kilkenny two resolutions were adopted, one of which was to the effect that O'Connell's oration was calculated to control the partialities of the Bench and to shame the bigotry of a selected jury. The resolutions were written by Dennis Scully and appeared in the *Dublin Evening Post* on August 14, and fresh proceedings were instituted against Magee whilst he was in Kilmainham Jail. He was sentenced to a fine of £1,000 for this second libel and imprisonment for six months, after the term of two years of his former sentence had expired.

The D'Esterre incident occurred in 1815. At a meeting of the Catholic Board held on January 22, 1815, O'Connell urged the necessity of infusing more vigorous life into the movement for Catholic Emancipation. No petition, he pointed out, had been presented to Parliament the previous year. "I am convinced," he said, "that the Catholic cause has suffered by neglect of discussion. Had the petition been, last year, the subject of debate, we should not now see the beggarly Corporation of Dublin anticipating our efforts by a petition of an opposite tendency." For this O'Connell received a letter from S. N. D'Esterre asking for an apology, and as O'Connell refused one, there was a duel between them in which D'Esterre was killed. Although O'Connell never got over the tragedy of having killed his man, his popularity in the country increased enormously, and his real power and influence as the Tribune of the Irish people may be said to have commenced from that date.¹

¹ O'Connell's second was Charles Phillips, the biographer of Curran. The pugnacity of the Irish Bar was proverbial. Lord Clare fought Curran. Lord Clonmel fought two peers and two commoners. Madge, afterwards Lord Baron, fought his own brother-in-law and two others. Toler, afterwards Chief Justice of the Common Pleas, fought three persons. Patterson, afterwards Chief Justice of the Common Pleas, fought three country gentlemen, one of them with pistols, another with swords, and wounded them all. Isaac Corry, Chancellor of the Irish Exchequer, fought Grattan, and was wounded in the arm. The Provost of Dublin University, a Privy Councillor, fought Doyle, a Master in Chancery, and several others. His brother, Collector of the Customs, fought Lord Montmorris. Harry Dean Grady, Counsel to the Revenue, fought several duels; and Curran fought four persons, one of whom was Egan, Chairman of Kilmainham, and afterwards his friend in the duel with Lord Buckinghamshire.

The O'Connell-Peel incident also occurred in 1815, brought about by some words used by O'Connell at a Catholic meeting in Dublin on August 29. The duel never came off, and ten years later, on April 25, Colonel Brown, Peel's former second and Deputy-Quartermaster of Ireland, received a visit from Richard Newton Bennett, who brought from O'Connell an admission that he was in the wrong in the affair of 1815. Brown sent the message to Peel, who replied in a conciliatory tone. But among Peel's papers the following note was found after his death in his handwriting—"Some time after the communication made by Mr. Bennett in 1825, it got wind in Ireland, and Mr. O'Connell was taunted with having 'crouched' to me. I think that was the expression. His answer was that he had made the apology in the hope that it might possibly propitiate me on the Catholic question then pending in Parliament. I had given him credit for having made the tardy reparation purely from a conscientious feeling that it was due."

APPENDIX XXV

(See Chapter III, p. 99)

LORD GOSFORD said in a speech delivered in the Protestant county of Armagh about this time—

"It is no secret that a persecution accompanied by all the circumstances of ferocious cruelty, which have, in all ages, distinguished that dreadful calamity, is now raging in this country; neither age, nor sex, nor acknowledged innocence, as to any guilt in the late disturbance, is sufficient to excite mercy, much less to afford protection. The only crime which the wretched objects of this ruthless persecution are charged with, is a crime, indeed, of easy proof—it is simply a profession of the Roman Catholic faith. A lawless banditti have constituted themselves judges of this species of delinquency, and the sentence they have pronounced is equally concise and terrible, it is nothing less than a confiscation of all property, and banishment. It would be extremely painful and surely unnecessary, to detail the horrors that attend the execution of so rude and tremendous a proscription; which certainly exceeds, in the comparative number of those it consigns to ruin and misery, every example that ancient and modern history supply; for where have we heard, or in what story of human cruelty have we read, of more than half the inhabitants of a populous country deprived, at one blow, of the means as well as the fruits of their industry, and driven, in the midst of an inclement season, to seek a shelter for themselves and their helpless families, where chance may guide them? This is no exaggerated picture of the horrid scenes now acting in this country. Those horrors are now acting with impunity; the spirit of impartial justice (without which the law is nothing more than an instrument of tyranny) has, for a time, disappeared in this country, and the supineness of the magistrates of Armagh is become the common topic of conversation in every corner of the kingdom. I know my own heart, and I should despise myself if, under any intimidation, I should close my eyes against such scenes as present themselves on every side, or my ears against the complaints of a persecuted people."

APPENDIX XXVA

(See Chapter III, p. 99)

As he said on April 23 in the debate on the Protestant petition from Ireland in favour of the Roman Catholic claims in 1812—

"I know the strength of the cause I support; it might appeal to all the

quarters of the globe ; and it will walk the earth and flourish, when dull declamation shall be silent, and the pert sophistry that opposed it shall be forgotten in the grave. I cannot think that the civil incapacities of millions coupled with the cause of this Empire, which is involved in their fate, shall owe their downfall to folly and inanition. As well might I suppose the navy of England to be blown out of the ocean by a whirlwind of witches, or that your armies in Spain and Portugal should be laid prostrate by harlequin and his wooden sword, as that such interests as I now support should be overturned by a crew of quaint sophisters, or by Ministers, with the aid of a few studious but unenlightened ecclesiastics, acting under the impulse of interest and the mask of religion. The people, if left to themselves, and their good understanding, will agree ; it is learned ignorance only that would sever the Empire."

APPENDIX XXV_B

(See Chapter III, p. 102)

RICHARD LALOR SHEIL said—

"The admirers of King William have no mercy for a man who, in his seditious moods, is so provoking as to tell the world that their idol was 'a Dutch adventurer.' Then his intolerable success in a profession where many a staunch Protestant is condemned to starve—and his fashionable house in Merrion Square—and a greater eye-sore still, his dashing revolutionary equipage, green carriage, green liveries, and turbulent Popish steeds, prancing over a Protestant pavement, to the terror of Protestant passengers—these and other provocations of equal publicity, have exposed this learned culprit to the deep detestation of a numerous class of His Majesty's hating subjects in Ireland. And the feeling is duly communicated to the public ; the loyal press in Dublin teems with the most astounding imputations upon his character and motives."

Sheil's "Protestant pavement" was not without signification, for no Catholic could be admitted to a paving or lighting board in the Corporation of Dublin.

APPENDIX XXVI

(See Chapter III, p. 103)

BYRON'S verses on the occasion were thought by many to be very "bad form"—

"Ere the daughter of Brunswick is cold in her grave,
And her ashes still float to their home o'er the tide,
Lo ! George the triumphant speeds over the wave,
To the long-cherish'd isle which he loved like his—bride.

True, the great of her bright and brief era are gone,
The rainbow-like epoch where Freedom could pause
For the few little years, out of centuries won,
Which betray'd not, or crush'd not, or wept not her cause.

True, the chains of the Catholic clank o'er his rage,
The Castle still stands, and the senate's no more,
And the famine which dwelt on her freedomless crags
Is extending its steps to her desolate shore.

To her desolate shore—where the emigrant stands
 For a moment to gaze ere he flies from his hearth ;
 Tears fall on his chain, though it drops from his hands,
 For the dungeon he quits is the place of his birth.

But he comes ! the Messiah of Royalty comes !
 Like a goodly Leviathan roll'd from the waves ;
 Then receive him as best such an advent becomes,—
 With a legion of cooks, and an army of slaves !

He comes in the promise and bloom of threescore,
 To perform in the pageant the sovereign's part—
 But long live the shamrock, which shadows him o'er !
 Could the green in his *hat* be transferr'd to his *heart* !

Could that long-wither'd spot but be verdant again,
 And a new spring of noble affections arise—
 Then might freedom forgive thee this dance in thy chain,
 And this shout of thy slavery which saddens the skies.

* * * *

But back to our theme ! Back to despots and slaves !
 Feasts furnish'd by Famine ! rejoicings by Pain !
 True Freedom but *welcomes*, while slavery still *raves*,
 When a week's saturnalia hath loosen'd her chain.

Let the poor squalid splendour thy wreck can afford
 (As the bankrupt's profusion his ruin would hide)
 Gild over the palace, Lo ! Erin, thy lord !
 Kiss his foot with thy blessing, his blessings denied !

Or *if* freedom past hope be extorted at last,
 If the idol of brass find his feet are of clay,
 Must what terror or policy wring forth be class'd
 With what monarchs ne'er give, but as wolves yield their prey ?

* * * *

Spread—spread, for Vitellius, the royal repast,
 Till the gluttonous despot be stuff'd to the gorge !
 And the roar of his drunkards proclaim him at last
 The Fourth of the fools and oppressors call'd "George" !

Let the tables be loaded with feasts till they groan !
 Till they *groan* like thy people through ages of woe !
 Let the wine flow around the old Bacchanal's throne,
 Like their blood which has flow'd, and which yet has to flow.

But let not *his* name be thine idol alone—
 On his right hand behold a Sejanus appears !
 Thine own Castlereagh ! let him still be thine own !
 A wretch never named but with curses and jeers !

* * * *

Shout, drink, feast, and flatter ! Oh, Erin, how low
 Wert thou sunk by misfortune and tyranny, till
 Thy welcome of tyrants hath plunged thee below
 The depth of thy deep in a deeper gulf still !

My voice, though but humble, was raised for thy right,
 My vote, as a freeman's, still voted thee free,
 This hand, though but feeble, would arm in thy fight,
 And this heart, though outworn, had a throb still for *thee*.

Yes, I loved thee and thine, though thou art not my land,
 I have known noble hearts and great souls in thy sons,
 And I wept with the world, o'er the patriot band
 Who are gone, but I weep them no longer as once.

For happy are they now reposing afar,—
 Thy Grattan, thy Curran, thy Sheridan, all
 Who, for years, were the chiefs in the eloquent war,
 And redeem'd, if they have not retarded, thy fall.

Yes, happy are they in their cold English graves !
 Their shades cannot start to thy shouts of to-day—
 Nor the steps of enslavers and chain-kissing slaves
 Be stamp'd in the turf o'er their fetterless clay.

Till now I had envied thy sons and their shore,
 Though their virtues were hunted, their liberties fled ;
 There was something so warm and sublime in the core
 Of an Irishman's heart, that I envy—thy *dead*.

Or, if aught in my bosom can quench for an hour
 My contempt for a nation so servile, though sore,
 Which though trod like the worm will not turn upon power,
 'Tis the glory of Grattan, and genius of Moore !"

APPENDIX XXVIA

(See Chapter III, p. 105)

"WAS ever absurdity like this?" said Canning on April 30, "The Catholic peer may drive directly to St. James' and demand admission to the Royal presence. The cabalistic words 'temporal and civil' dissolve the interdiction of the Act of Charles II, and the closest doors fly open at the sound ; but if he turns his horses' heads from the Palace to the Parliament House the charm loses its efficacy ; no entrance there except through the words 'ecclesiastical and spiritual,' followed up with a sworn opinion on certain controverted points of religious faith and worship. . . . But the strange anomalies in the situation of Catholic peers are not yet exhausted. . . . Imagine the Ministers of foreign potentates collecting for their respective Courts the details of this splendid and affecting consecration. Who is it that overtops the barons as they march?—the Catholic Lord Clifford. Who is it that does homage to the Throne on behalf of the highest order of the peerage?—the Catholic Duke of Norfolk. Whom has the King selected to return thanks to this assemblage of all that is most splendid and most worthy in the realm, in acknowledgment of their libation to His Majesty's health? Again, the Catholic Duke of Norfolk. Did it occur to the representatives of Europe . . . that the moment this ceremony was over, the Duke of Norfolk, . . . highest in rank amongst the peers, the Lord Clifford, and others like him, representing a long line of illustrious ancestry, as if called forth and furnished for the occasion, like the lustres and banners, that flamed and glittered in the scene, were to be, like them, thrown by as useless and trumpery formalities? . . . that with the pageantry of the hour, their importance faded away ; . . . and that he who headed the procession of peers to-day could not sit among them as their equal on the morrow?" (*Speeches*, in 6 vols., 1836.)

APPENDIX XXVI_B

(See Chapter III, p. 108)

BROUGHAM said on the occasion of the introduction of the measure—

"I take upon myself conscientiously to say that, after the most attentive and vigilant observation of all the Catholic Association has done or said, I cannot discover a single word or act which justifies the charge made in the King's Speech. . . . It would at present be no difficult task to alienate the minds of the people of Ireland from this country. They were taught to look to the British Parliament for support ; that support has failed them. They were advised to look up to their representatives, but there again they found themselves deceived. I lament the fact, but so it is, that the peace of Ireland is secured by the Catholic Association, and by the Catholic Association alone. Ireland is at this moment tranquil. Never were the laws of the land more regularly enforced, more cheerfully obeyed in that part of the country, than they are at present. Some abuses are still complained of ; yet such is the luxury of even an approach to an equal distribution of justice amongst these poor people, that they already rejoice and feel comparatively happy. There never was a period when disaffection was less to be apprehended than at present ; and this is only one way in which those unfortunate disturbances can be rekindled, namely, by taking legal steps to put down the Catholic Association."

APPENDIX XXVII

(See Chapter III, p. 109)

PLUNKETT, speaking in favour of it and arguing against the well-worn plea of the danger of innovation, said during the debate—

"Time is the greatest innovator of all. While man would sleep or stop in his career, the course of time is rapidly changing the aspect of all human affairs. All that a wise government can do is to keep as close as possible to the wings of time, to watch his progress, and accommodate his motion to their flight. Arrest his course you cannot ; but you may vary the forms and aspects of your institutions, so as to reflect his varying aspects and forms. If this is not the spirit which animates you, philosophy will be impertinent, and history no better than an old almanac. The riches of knowledge will serve you no better than the false money of a swindler, put upon you at a value which once circulated, but has long since ceased. Prudence and experience will be no better for protection than dotage and error."

And again—

"It is brought forward, as another objection to the concession of any political power to the Catholics, that they are—in Ireland especially—under the absolute guidance of their priests and of their political leaders, men whom they regard with a veneration bordering on idolatry. Sir, I admit the fact, but I lay the blame on another quarter. If the Roman Catholics are idolaters in religion (as we swear at this table that they are), we cannot help it. But if they are (as it is now alleged) idolaters in politics, it is we who have to answer for their error. If we withdraw from them the more legitimate objects of political reverence ; if we deny to them, as it were, the political sacraments of the constitution, what wonder that they make to themselves false gods of champions of their cause—of their spiritual and political leaders ? But, fortunately, the cure of this crime (if it be one) is in our hands. Let us open to them the sanctuary of the law—let us lift up the veil which shuts them out

from the British Constitution, and show them the spirit of freedom which dwells within the object of our veneration. Let us call them to partake in the same rights, with which our purer worship is celebrated. Let us do this, and, depend upon it, we shall speedily wean them from their present political idolatry and leave deserted the spurious shrines at which they now bow down before their Doyles and O'Connells."

APPENDIX XXVIIA

(See Chapter III, p. 114)

It was about this time that Sheil in a speech, describing the state of Ireland, said—

"What has Government to dread from our resentment in peace? An answer is supplied by what we actually behold. Does not a tremendous organization extend over the whole island? Have not all the natural bonds by which men are tied together been broken and burst asunder? Are not all the relations of society, which exist elsewhere, gone? Has not property lost its influence; has not rank been stripped of the respect which should belong to it? and has not an internal government grown up which, gradually superseding the legitimate authorities, has armed itself with a complete domination? Is it nothing that the whole body of the clergy are alienated from the State, and that the Catholic gentry and peasantry and priesthood are all combined in one vast confederacy? So much for Catholic indignation while we are at peace; and when England shall be involved in war—I pause; it is not necessary that I should discuss that branch of the division, or point to the cloud which, charged with thunder, is hanging over our heads."

APPENDIX XXVIII

(See Chapter III, p. 120)

THE Oath of Supremacy was as follows—

"I, —, do swear that I from my heart abhor, detest, and abjure as impious and heretical that damnable doctrine and position that princes excommunicated or deprived by the Pope or any other authority of the See of Rome, may be deposed or murdered by their subjects, or any other whatsoever. And I do declare that no foreign Prince, Person, Prelate, State, or Protestant hath, or ought to have, any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm. So help me God."

The Declaration which had been still more hateful to Catholics, ran—

"I, —, do solemnly and sincerely, in the presence of God, profess, testify, and declare that I do believe that in the Sacrament of the Lord's Supper there is not any transubstantiation of the elements of bread and wine into the body and blood of Christ, at or after the consecration thereof by any person whatsoever; and that the invocation or adoration of the Virgin Mary or any other saint, and the sacrifice of the Mass, as they are used in the Church of Rome, are superstitious and idolatrous. And I do solemnly, in the presence of God, profess, testify, and declare that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words read unto me, as they are commonly understood by English Protestants,

without any evasion, equivocation, or mental reservation whatsoever, and without any dispensation already granted me for this purpose by the Pope or any other authority or person whatsoever, or without any hope of any such dispensation from any person or authority whatsoever, or without thinking that I am or can be acquitted before God or man, or absolved of this declaration or any part thereof, although the Pope or any other person or persons or power whatsoever should dispense with or annul the same, or declare that it was null and void from the beginning."

The new Oath of Allegiance and Supremacy for Roman Catholics was as follows—

"I, —, do sincerely promise and swear that I will be faithful and bear true allegiance to His Majesty King George the Fourth, and will defend him to the utmost of my power against all conspiracies and attempts whatever which shall be made against his person, crown, or dignity, and I will do my utmost endeavour to disclose and make known to His Majesty, his heirs and successors, all treasons and traitorous conspiracies which may be formed against him or them. And I do faithfully promise to maintain, support, and defend, to the utmost of my power, the succession of the Crown, which succession, by an Act, entitled, 'An Act for the Further Limitation of the Crown, and Better Securing the Rights and Liberties of the Subject,' is and stands limited to the Princess Sophia, Electress of Hanover, and heirs of her body, being Protestants, hereby utterly renouncing and abjuring any obedience or obligation unto any other person claiming or pretending a right to the Crown of this Realm. And I do further declare that it is not an article of my faith, and that I do denounce, reject, and abjure the opinion that princes excommunicated by the Pope, or any other authority of the See of Rome, may be deposed or murdered by their subjects, or by any person whatever. And I do declare that I do not believe that the Pope of Rome, or any other foreign prince, prelate, person, State or potentate hath, or ought to have, any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly or indirectly, within this realm. I do swear that I will defend to the utmost of my power the settlement of property within the realm, as established by the laws; and I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the present Church Establishment, as settled by law within this realm. And I do solemnly swear that I will never exercise any privileges to which I am or may become entitled to disturb or weaken the Protestant Government in the United Kingdom; and I do solemnly, in the presence of God, profess, testify, and declare that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatsoever. So help me God."

APPENDIX XXVIII A

(See Chapter III, p. 123)

WHAT little advantage the Irish drew from their victory for several years was pointed out by Lord Wellesley in a confidential letter of a somewhat later date, in which he called the attention of the Cabinet to the fact—

"That the Roman Catholics of Ireland had never yet been admitted to the full benefit of the laws passed for their relief. Entitled by law to admission to almost any office in the State, they had been, and were still, practically excluded from almost every branch of the Executive Administration of the Government. The few admitted into the station of assistant-barristers or into the police, only served to mark the right to admission, without any approach to equitable distribution of official benefits. It was impossible to suppose that a whole nation could repose confidence or act

cordially with a Government, when so large a portion of the people were practically excluded from all share in the higher offices of the State, while their right to admission was established by law."—*Memoirs of the Marquis Wellesley*.

W. E. H. Lecky also wrote—

"In 1833, four years after Catholic Emancipation, there was not in Ireland a single Catholic judge or stipendiary magistrate. All the high sheriffs with one exception, the overwhelming majority of the unpaid magistrates and of the grand jurors, the five inspectors-general, and the thirty-two sub-inspectors of police, were Protestant. The chief towns were in the hands of narrow, corrupt, and, for the most part, intensely bigoted corporations. Even in a Whig Government not a single Irishman had a seat in the Cabinet; and the Irish Secretary was Mr. Stanley, whose imperious manner and unbridled temper had made him intensely hated. For many years promotion had been steadily withheld from those who advocated Catholic Emancipation, and the majority of the people thus found their bitterest enemies in the foremost places."

APPENDIX XXVIII B

(See Chapter IV, p. 130)

LISTEN to Froude in his *English in Ireland* upon the result of the investigation—

"The condition of the hospital was sifted to the bottom. The result was laid before the House by Blaquiére in the ensuing year. The average annual number of infants who survived admission to this beautiful institution, taken on a large number of years, was one hundred and thirty. The annual expenses were £16,000. Each child, therefore, who was saved from death was costing the public £110. He expected to find, he said, that his original information had understated the frauds, but had exaggerated the cruelty. He had been sorry to find that although the robbery was, as he anticipated, greater, the murders were no fewer than he before declared. The wretched little ones were sent up from all parts of Ireland, ten or twelve of them thrown together into a 'kish,' or basket, forwarded on a low-backed car, and so bruised and crushed and shaken at their journey's end that half of them were taken out lifeless and were flung into the dunghheap."

APPENDIX XXIX

(See Chapter IV, p. 134)

AFTER demonstrating by the replies of the six Foreign Roman Catholic Universities to the questions proposed to them in 1788 that the doctrines of the Catholic creed were politically innocuous, Edward Wakefield wrote in his *Account of Ireland*—

"Notwithstanding these incontrovertible proofs, that the tenets of the Catholic religion are politically harmless, and that their professors are by no spiritual obligation authorized to refuse allegiance to the Government under which they live, or encouraged to any act of rebellion; until the year 1808, a Protestant catechism, which ascribed to the Catholic creed all the abominable doctrines here fairly and publicly disavowed, was taught in every Charter school in Ireland. Such a circumstance can only be considered as a sanction to those who differ from them in some points of faith to calumniate,

by falsehood and misrepresentation, the whole Catholic body, and as an encouragement to exert against it the most rancorous hatred. It will, perhaps, be said, that the use of the work in the Charter schools is now prevented by a recent order from the Board of Education. I am unacquainted with the date of their resolutions for this purpose; but on the 29th of July, 1808, I accompanied the Bishop of Meath to the Charter school near Abraaken, and I there saw this book in the hands of the children, who were learning the doctrine above described. The Bishop ordered one to be given to me, which I have now in my possession. It is a compilation by the hand of bigotry and error; and is astonishing that the true spirit of the Catholic religion should have been so grossly misrepresented. To instil by public instruction into the tender minds of young persons contempt and hatred for any sect or body of men living in the same country, is a wicked and unchristian proceeding, and as injurious to those by whom it is practised, as it is unjust towards those against whom such evil passions are excited. It is a violation of the divine precepts of that religion, which inculcates, in the most impressive manner, mildness, forbearance, and goodwill towards men. But the iniquity and injustice of such attempts become still greater when they are intended as auxiliaries to aid a wilful perversion of truth. If superstition and bigotry still prevail among the uneducated Catholics, is it just to reproach them for that ignorance which yourselves protect and cherish? Let reason and education be the weapons used against them, and call not upon the ghosts of superstition and persecution to arise from their grave, to silence the cries of this oppressed people; afford them the means of instruction, remove their prejudices, treat them like men, and the conquest is achieved."

APPENDIX XXIXA

(See Chapter IV, p. 135)

FROUDE wrote of these establishments in a footnote to his *English in Ireland*—

"Within a few years of their establishment the Charter schools had ceased to grow. Private benefactions fell off, and though Parliament made no difficulty in voting money, the annual grants were swallowed up by speculation. The industrial training, so excellent in conception, degenerated by negligence into a system in which the children became the slaves of the masters, and grew up in rags and starvation. As the numbers fell off, infant nurseries were established, the society observing that parents were more willing to part with their children when very young. These nurseries, from a report of one of the managers to the House of Commons, appear at last to have been merely foundling asylums, twenty infants having been found at one of them exposed among the carpenter's shavings. . . . Masters and mistresses plundered the funds, starved the children, and made the industrial system an excuse for using the pupils as slaves to fill their own pockets."

APPENDIX XXX

(See Chapter IV, p. 142)

THE temper manifested during the discussions upon the working of the new schools is forcibly described by Charles Greville, who writes in his *Memoirs*, under March 9, 1832—

"The principal subject of discussion this last week has been the Education Board in Ireland, the object of which is to combine the education of Catholics and Protestants by an arrangement with regard to the religious part of their instruction that may be compatible with the doctrines and practice of both. This arrangement consists in there being only certain selections from the Bible, which are admitted generally, while particular days and hours are set apart for the separate religious exercises of each class. This will not do for the zealous Protestants, who bellow for the whole Bible as Reformers do for the whole Bill. While the whole system is crumbling to dust under their feet, while the Church is prostrate, property of all kind threatened, and robbery, murder, starvation, and agitation rioting over the land, these wise legislators are debating whether the brats at school shall read the whole Bible or only parts of it. They do nothing but rave of the barbarism and ignorance of the Catholics; they know that education alone can better their moral condition, and that their religious tenets prohibit the admission of any system of education (in which Protestants and Catholics can be joined) except such an one as this, and yet they would rather knock the system on the head, and prevent all the good that may flow from it, than consent to a departure from the good old rules of Orange ascendancy and Popish subserviency and degradation, knowing too, above all, that those who are to read and be taught are equally indifferent to the whole Bible or to parts of it, that they comprehend it not, have no definite ideas on the subject but as matter of debate, vehicle of dispute and discussion, and almost of religious hatred and disunion, and that when once they have escaped from the trammels of their school, not one in a hundred will trouble his head about the Bible at all, and not one in a thousand attend to its moral precepts."

APPENDIX XXXI

(See Chapter V, p. 158)

SIR EDWARD LYTTON BULWER, during the debate on the Coercion Bill, tore this makeshift to shreds. It was proposed, he said—

"To pacify Ireland by domiciliary visits, courts-martial, by—. Oh! rare pacification! The right honourable gentleman has not been to Ireland in vain. He has learnt at least the science of practical bulls; he would pacify a country by maddening its people. . . . If you suspend the Constitution, you suspend it for all alike; you make no exception from the dread ban of general excommunication. You subject the innocent and guilty alike to spies and informers; to the arbitrary perils of suspicion; to those dark uncertainties of terror in which every man stands in fear of his neighbour. You give temptation to the accusation of private revenge; you give a field to all the mercenary, all the malignant, all the individual motives which are ever brought into operation by the suspension of law and the insecurity of political freedom. . . . When this law was in force before, men turned it to the most fearful purposes. It was not the peasant who was invaded in his own person; he was outraged in that of his sister or his wife. It was a law that benefited, not the trembling landlord, but the daring violator; it had operated, not in behalf of the security of property, but against rights still more sacred than even property itself. It was in the recollection of this state of things, that the Chief Justice of Ireland had said, that he remembered the date of the Summary Jurisdiction Act, and the still more summary court-martial, and that no description could convey any adequate notion of the horrors that then existed. And by whom is it decreed that these horrors, of which no description can convey an adequate notion, are to be renewed? By the most liberal and enlightened Ministry that, with respect

to the affairs of England, this Empire has ever known, by the very men, who, in times of great danger—times not of peace but of war, not of outrages but rebellion—stood foremost against the enactment of those very laws they now call upon us to pass. We take the time for exercising new coercions at the very moment when by our new experiment of conciliation we have veritably declared that seven centuries of coercion have been unavailing. . . . I am sure that no people on the face of the earth can be governed by the system His Majesty's Ministers propose. To-day coercion, to-morrow concession. This quick alternation of kicks and kindness—this coaxing with the hand and spurning with the heel—this system—at once feeble and exasperating—of allowing the justice of complaint, and yet stifling its voice—of holding out hopes and fears, terror and conciliation, all in a breath—is a system that renders animals and human beings alike, not tame but savage, is a system that would make the most credulous people distrustful, and the mildest people ferocious. . . . But you flatter yourselves that under shelter of those laws you will be able with effect to apply your remedial measures ; it is just the reverse ; they will blight all your remedies, and throw their withering shadow over all your concessions. I do not fear an open rebellion against the armed force and discipline of England ; but if you madden the people it is impossible to calculate the strength of insanity. Indeed, I think that an open rebellion is the least evil to be feared. I fear more a sullen, bitter, unforgiving recollection, which will distrust all our kindness and misinterpret all our intentions ; which will take all grace from our gifts ; which will ripen a partial into a general desire for a separate Legislature, by a settled conviction of the injustice of this, so that at last the English people themselves, worn out with unavailing experiments, wearied with an expensive and thankless charge, and dissatisfied with a companionship which gives them nothing but the contagion of its own diseases, will be the first to ask for that very dismemberment of the empire which we are now attempting to prevent.”

A quick alternation of kicks and kindness—What an admirable compendium of Irish history !

APPENDIX XXXIA

(See Chapter V, p. 158)

SIR GEORGE CORNEWALL LEWIS, speaking of this period, wrote—

“To discover what the liberty of a people is we must live among them, and not look for it among the statutes of the realm ; the language of written law may be that of liberty, but the situation of the poor may speak no language but that of slavery. There is too much of this contradiction in Ireland ; a long series of oppressions, aided by very many ill-judged laws, have brought landlords into a habit of exerting a very lofty superiority, and their vassals into that of an almost unlimited submission ; speaking a language that is despised, professing a religion that is abhorred, and being disarmed, the poor find themselves in many cases slaves even in the bosom of a written liberty.”

APPENDIX XXXIB

(See Chapter V, p. 159)

THE gossiping Charles Greville, in his *Memoirs*, under July 15, 1833, mentions a conversation he had had with Duncannon—

“He talked much of the Irish Church, and of the abominations that had

been going on even under his own eyes. One case he mentions of a man who holds a living of £1,000 a year close to Bessborough, whom he knows. There is no house, no church, and there are no Protestants in the parish. He went there to be inducted, and dined with Duncannon at Bessborough the day after. Duncannon asked him how he had managed the necessary form, and he said he had been obliged to borrow the clerk and three Protestants from a neighbouring parish, and had read the morning and evening service to them within the ruined walls of the old Abbey, and they signed a certificate that he had complied with the forms prescribed by law; he added that people would no longer endure such things, that no existing interests were to be touched, and that if remedial measures were still opposed, the whole fabric would be pulled down."

APPENDIX XXXII

(See Chapter V, p. 166)

WILLIAM EWART GLADSTONE opposed Russell on this occasion, and in the light of his subsequent action in connection with the Irish Church his speech is peculiarly interesting. In addition to much else he said—

"The noble lord and those who have spoken on the same side of the question have proceeded on totally unproved assumptions—they have gone on the gratuitous and unsustained supposition, that there exists a surplus revenue over and above what is necessary for the due maintenance of the Church in Ireland. I think Church property as sacred as private property; but I should say that the former was sacred in persons, and the latter to purposes. . . . The system we are now called on to agree to involves the existence of Church establishments. I hope I shall never live to see the day when such a system shall be adopted in this country; for the consequences of it to public men will be lamentable beyond all description. If those individuals who are called on to fill the high functions of administering public affairs should be compelled to exclude from their consideration the elements of true religion, and to view various strange and conflicting doctrines in the same light, instead of administering those noble functions, they will become helots and slaves."

O'Connell said during the debate—

"I shall content myself with laying down the broad principle, that the emoluments of a Church ought not to be raised from a people who do not belong to it. Ireland does not ask for a Catholic Establishment. The Irish desire political equality in every respect, except that they would not accept a shilling for their Church. I am told that I am disposed to repeal the legislative union, and how do you reconcile me to it? By showing that you are unwilling to do justice to Ireland. My opinion is well known, but I am ready to give it up. The union never has had fair play. I am told that the House is disposed to do justice to Ireland; let them not tell me so but show it. Let them beware of disappointing the just expectations of the people of Ireland, and thus instigating them to appeal to the wild justice of revenge. All that the Catholics require is justice—equal and even-handed justice. What they want to know is, whether there is a prospect of happier days; whether a new era has sprung up; and whether a dawn of comfort and prosperity has beamed on Ireland. This resolution would be an earnest and a pledge of better times; its rejection would be a proclamation to Ireland that the Legislature despises in regard to it all principles of justice."

APPENDIX XXXIII

(See Chapter V, p. 169)

AS evidence of the disingenuousness sometimes practised in dealing with Ireland, Charles Greville gives an account in his *Memoirs*, under June 30, 1835, of a conversation with Melbourne—

"I told him that I had long been of opinion that the only practicable and sound course was to open a negotiation with Rome, and to endeavour to deal with the Catholics in Ireland and the ministers of the Catholic religion upon the same plan which had been *mutatis mutandis* adopted universally in Germany and almost all over the Continent, and that there was nothing the Church of Rome desired so much as to cultivate a good understanding with us. He told me a thing which surprised me, and which seemed to me at variance with his supposition—that 'an application had been made to the Pope very lately (through Seymour) expressive of the particular wish of the British Government that he would not appoint M'Hale to the vacant Catholic bishopric, *anybody but him*, notwithstanding which the Pope had appointed M'Hale; but on this occasion the Pope made a shrewd observation.' His Holiness said that 'he had remarked for a long time past that no piece of preferment of any value ever fell vacant in Ireland that he did not get an application from the British Government asking for the appointment.' Lord Melbourne supposed he was determined to show that he had the power of refusing and of opposing the wishes of Government, and in reply to my question he admitted that the Pope had generally conferred the appointment according to the wishes of the Government. Can anything be more absurd or anomalous than such relations as these? The law prohibits any intercourse with Rome, and the Government, whose business it is to enforce the law, has established a regular but underhand intercourse, through the medium of a diplomatic agent, whose character cannot be avowed, and the Ministers of this Protestant Kingdom are continually soliciting the Pope to confer appointments, the validity, even the existence of which they do not recognize, while the Pope, who is the object of our orthodox abhorrence and dread, good-humouredly complies with all, or nearly all their requests. These are the national and legislative follies of this wise and prosperous people, and such is the false position into which we are drawn by a long course of detestable policy—policy arising at first out of circumstances, and eventually adhered to from those powerful prejudices which struck their roots so deep into the soil that the force of reason and philosophy has not yet been sufficient to tear them up."

APPENDIX XXXIIIA

(See Chapter V, p. 170)

AS Russell stated in the House of Commons on June 15, 1846—

"In 1835 it was the declared intentions of the Ministers, who had then lately taken office, to govern Ireland upon principles more congenial to the feelings and affections of the great body of the people than had hitherto been the case. Full confidence was reposed in those Ministers—full confidence that the Bill which was then passed was entrusted to hands that would not abuse its powers. I may say that confidence was justified, for I believe that Bill was never put into operation. I cannot find from my noble friend, Lord Normanby, whom I have consulted upon the subject, that he ever put it in force. I asked him if it was not the case that persons

expected he might use the power which it gave him. He said, so far from that, he believed the fact of the power being in his hands was entirely forgotten, and that the existence of the Bill was scarcely remembered by the great body of the people. The fact is, certainly that from 1835 to 1840 the Bill was not put into operation; and in 1840, having to choose whether we would renew that Bill or not, we deliberately determined not to renew it, and we allowed it to expire."

This seems sufficient comment upon the administration of Ireland from 1835 to 1841. Govern her in the spirit of impartial justice, and not in that of indifference to her feelings, and she will never disappoint the expectations of her benefactors.

APPENDIX XXXIIIb

(See Chapter V, p. 171)

JUDGE FLETCHER, in his charge to the Wexford Grand Jury in 1814, said—

"There will be no tranquillity in this country while these associations are permitted to act in the lawless manner they do at present; particularly in the north of Ireland. There those disturbers of the public peace who assume the name of Orange yeomen, frequent the fairs and markets with arms in their hands, under the pretence of self-defence or of protecting the public peace, but with the lurking view of inviting the attacks of the Ribbonmen, confident that, armed as they are, they must overcome defenceless opponents and put them down. Murders have been repeatedly perpetrated upon such occasions, and though legal prosecutions have ensued, yet, under the influence of those factious associations, petty juries have declined on some occasions to do their duty. These facts have fallen under my own view."

And again in the same address—

"These associations poison the very fountains of justice, and even magistrates under their influence have in too many instances violated their duty and their oaths."

APPENDIX XXXIIIc

(See Chapter V, p. 178)

THE Parliamentary history of Irish Tithe up to this time had therefore been—

- (1) Goulburn's Voluntary Composition of Tithe Act, 1823.
- (2) Stanley's Compulsory Composition of Tithe Act, 1831.
Althorp's Irish Church Bill passed, 1833.
- (3) Littleton's Irish Tithe Bill rejected by the Lords, after Ward's motion for the addition to it of an appropriation clause had been defeated, 1834.
- (4) Hardinge's Irish Tithe Bill rejected, 1835.
- (5) Russell's motion for the appropriation of the revenues of the Irish Established Church to the general education of all classes of Christians without religious distinction passes against the Government, and causes Peel's resignation, 1835.
- (6) Morpeth's Irish Tithe Bill rejected by the Lords, 1835.
- (7) Morpeth's Irish Tithe Bill dropped on account of the Lords' opposition, 1836.
- (8) Russell's Irish Tithe Bill abandoned, 1837.
- (6) Russell's Irish Tithe Act, 1838.

APPENDIX XXXIV

(See Chapter VI, p. 181)

THE Reverend James Whitelaw, in his work upon the population of Dublin, comments upon the awful condition of the Dublin poor—

"This crowded population, wherever it obtains, is almost universally accompanied by a very serious evil, a degree of filth and stench inconceivable, except by such as have visited these scenes of wretchedness. Into the backyard of each house, frequently not ten feet deep, is flung from the windows of each apartment, the ordure and other filth of its numerous inhabitants, from whence it is so seldom removed, that I have seen it nearly on a level with the windows of the first floor; and the moisture that after heavy rains flows from this heap, having frequently no sewer to carry it off, runs into the street by the entry leading to the staircase. One instance out of a thousand that might be given will be sufficient. When I attempted, in the summer of 1796, to take the population of a ruinous house in Joseph's Lane, near Castle Market, I was interrupted in my progress by an inundation of putrid blood, alive with maggots, which had from an adjacent slaughter-yard burst the door, and filled the hall to the depth of several inches; by the help of a plank and some stepping-stones, which I provided for the purpose (for the inhabitants without any concern waded through it), I reached the staircase; it had rained violently, and from the shattered state of the roof, a torrent of water made its way through every floor from the garret to the ground. The sallow looks and filth of the wretches who crouched round me, indicated their situation, though they seemed insensible to the stench, which I could scarcely sustain for a few minutes. In the garret I found the entire family of a poor working shoemaker, seven in number, lying in a fever without a human being to administer to their wants."

APPENDIX XXXIVA

(See Chapter VI, p. 182)

IN their report they said—

"The distress which has almost universally prevailed has not been occasioned so much by an excessive population as by a culpable remissness on the part of persons possessing property, and neglecting to take advantage of those great resources, and of those ample means of providing for an increasing population, which nature has so liberally bestowed on this country."

According to the Annual Register—

"The whole provinces of Connaught and Munster were (we learn) in a state of actual starvation. . . . There was scarcely a town in the South of Ireland the streets of which were not filled with able-bodied men, wandering in quest of food, or of any means of obtaining wherewith to purchase it. The distress reached far beyond the lowest class. . . . In the month of June there were in the County Clare alone (the whole population of which is little more than 200,000) 99,639 persons subsisting on charity from hour to hour; in Cork there were 122,000 individuals in the same situation; and in the City of Limerick, out of a population of 67,000, there were 20,000 who had not a morsel to eat save what pity gave."

APPENDIX XXXV

(See Chapter VI, p. 183)

JOHN GIBSON LOCKHART, describing Sir Walter Scott's visit to Ireland in the summer of this year, writes—

"But those of the party to whom the South of Ireland was new, had almost continually before them spectacles of abject misery, which robbed these things of more than half their charm. Sir Walter indeed, with the habitual hopefulness of his temper, persisted that what he saw even in Kerry was better than what books had taught him to expect; and insured, therefore, that improvement, however slow, was going on. But, ever and anon, as we moved deeper into the country, there was a melancholy in his countenance, and, despite himself, in the tone of his voice, which I for one could not mistake. The constant passings and repassings of bands of mounted policemen, armed to the teeth, and having quite the air of highly disciplined soldiers on sharp service; the rueful squalid poverty that crawled by every wayside, and blocked up every village where we had to change horses, with exhibitions of human suffering and degradation such as it had never entered into our heads to conceive; and, above all, the contrast between these naked clamorous beggars, who seemed to spring out of the ground at every turn like swarms of vermin, and the boundless luxury and merriment surrounding the thinly-scattered magnates who condescended to inhabit their ancestral seats, would have been sufficient to poison those landscapes, had nature dressed them out in the verdure of Arcadia, and art embellished them with all the temples and palaces of old Rome and Athens. It is painful enough to remember such things, but twelve years can have had but a trifling change in the appearance of a country which, so richly endowed by Providence with every element of wealth and happiness, could, at so advanced a period of European civilization, sicken the heart of the stranger by such wide-spread manifestations of the wanton and reckless profligacy of human mismanagement, the withering curse of feuds and factions, and the tyrannous selfishness of absenteeism; and I fear that it is not likely that any contemporary critic will venture to call my melancholy picture overcharged."

APPENDIX XXXVI

(See Chapter VI, p. 185)

As the Commissioners stated in their third report in 1836—

"It appears that in Great Britain the agricultural families constitute little more than one-fourth, while in Ireland they constitute two-thirds of the whole population; that there were in Great Britain in 1831, 1,055,982 agricultural labourers; in Ireland, 1,131,715—although the cultivated land of Great Britain amounts to about 34,250,000 acres, and that of Ireland only to about 14,000,000. We thus find that there are in Ireland about five agricultural labourers for every two that there are for the same quantity of land in Great Britain. It further appears that the agricultural produce of Great Britain is more than four times that of Ireland; that agricultural wages of Ireland vary from sixpence to one shilling a day; that the average of the country in general is about eightpence halfpenny; and that the earnings of the labourers come on an average of the whole class to from two shillings to two shillings and sixpence a week or thereabouts for the year round. . . .

A great portion of them (agricultural labourers) are insufficiently provided at any time with the commonest necessities of life. Their habitations are wretched hovels ; several of the family sleep together on straw, or on the bare ground, sometimes with a blanket, sometimes not even so much, to cover them. Their food commonly consists of dry potatoes ; and with these they are at times so scantily supplied as to be obliged to stint themselves to one spare meal in the day. . . . They sometimes get a herring or a little milk, but they never get meat except at Christmas, Easter, and Shrove-tide."

APPENDIX XXXVII

(See Chapter VI, p. 187)

How urgent the necessity was for some measure of reform was shown by Gustave Auguste de Beaumont, who visited Ireland about the year 1837, and published a record of his tour. Speaking of the castles and parks of the landlords, he says—

"C'est là l'Irlande heureuse. Il faut, pour la voir choisir son point de vue tout exprès, prendre ça et là un espace étroit et isolé en fermant les yeux à tous les objets environnants. La pauvre Irlande, au contraire, éclate à la vue de toutes parts.

"La misère nue, affamée ; cette misère vagabonde et fainéante, cette misère qui mendie, couvre le pays entier ; elle se montre partout, sous toutes les formes, à tous les instants du jour ; c'est elle que vous voyez la première en abordant aux rivages de l'Irlande ; et, dès ce moment, elle ne cesse plus d'être présente à vos regards, tantôt sous les traits de l'infirme qui étale ses plaies, tantôt sous l'aspect du pauvre costumé de ses haillons ; elle vous suit partout, vous obsède sans relâche, vous entendez de loin ses gémissements et ses pleurs ; et si la voix ne vous émeut pas d'une pitié profonde, elle vous importune et vous fait peur. Cette misère semble inhérente au sol comme un de ses produits ; pareille à ces fleaux endémiques qui corrompent l'atmosphère, elle flétrit tout ce qui l'approche, et atteint le riche lui-même, qui ne peut, au milieu de ses joies, se séparer des misères du pauvre, et fait de vains efforts pour secouer cette vermine qu'il a créée et qui s'attache à lui. . . . Je ne sais, du reste, lequel est le plus triste à voir, de la demeure abandonnée ou de celle qu'habite le pauvre Irlandais.

"Qu'on se représente quatre murs de bois desséchée, que la pluie, en tombant, rend sans peine à son état primitif ; pour toit un peu de chaume, ou quelques coupures de gazon ; pour cheminée, un trou grossièrement pratiqué dans le toit, et le plus souvent la porte même du logis, par laquelle seule la fumée trouve une issue ; une seule pièce contient le père, la mère, l'aïeul, les enfants ; point de meubles dans ce pauvre réduit ; une seule couche, composée ordinairement d'herbe et de paille, sert à toute la famille. On voit accroupis dans l'être cinq ou six enfants demi-nus, auprès d'un maigre feu, dont les cendres recouvrent quelques pommes de terre, seule nourriture de toute la famille ; au milieu de tous git un porc immonde, seul habitant du lieu qui soit bien, parce qu'il vit dans l'ordure. La présence du porc au logis semble d'abord, en Irlande, un indice de misère ; il y est cependant un signe de quelque aisance. Et l'indigence est surtout extrême dans la cabane qu'il n'habite pas.

"Non loin de la chaumière s'étend un petit champ d'un acre ou d'un demi-acre ; il est semé de pommes de terre ; des rangées de pierres entassées les unes sur les autres, et parmi lesquelles croissent des ajoncs, lui servent de clôture.

"Cette demeure est bien misérable ; cependant, ce n'est point celle du pauvre proprement dit. On vient de décrire l'habitation du fermier irlandais

et de l'ouvrier agricole. J'ai dit qu'au-dessous des grands il n'y a point de petits propriétaires, et au-dessous du riche opulent, rien que des pauvres ; mais ceux-ci sont misérables à des titres différents, et avec des nuances que je voudrais pouvoir indiquer.

"Tous, étant pauvres, n'emploient pour se nourrir que l'aliment le moins cher dans le pays, les pommes de terre mais tous n'en consomment pas la même quantité ; les uns et ce sont les privilégiés, en mangent trois fois par jour ; d'autres moins heureux, deux fois ; ceux-ci, en état d'indigence, une fois seulement, il en est qui, plus dénués encore, demeurent un jour, deux jours même, sans prendre aucune nourriture.

"Cette vie de jeûnes est cruelle ; et pourtant il faut la subir, sous peine de maux plus grande encore. Celui qui fait un repas de plus qu'il ne peut, et jeûne une fois de moins qu'il ne doit, est sûr de n'avoir pas de quoi se vêtir ; et encore cette prudence, cette résignation à souffrir sont souvent stériles.

"Quel que soit le courage de pauvre cultivateur à supporter la faim, pour faire face à d'autres besoins, il est en général nu ou couvert de haillons transmis dans la famille de génération en génération.

"Dans beaucoup de pauvres maisons il n'y a qu'un habillement complet pour deux individus ; ce qui oblige presque toujours le prêtre de la paroisse à dire plusieurs messes le dimanche. Lorsque l'un a entendu la première messe, il revient au logis, quitte ses vêtements et les donne à l'autre, qui va aussitôt assister à la seconde.

"J'ai vu l'Indien dans ses forêts et le nègre dans ses fers, et j'ai cru, en contemplant leur condition digne de pitié, que je voyais le dernier terme de la misère humaine ; je ne connaissais point alors le sort de la pauvre Irlande. Comme l'Indien, l'Irlandais est pauvre et nu ; mais il vit au milieu d'une société qui recherche le luxe et honore la richesse. Comme l'Indien il est dépourvu du bien-être matériel que procurent l'industrie humaine et le commerce des nations ; mais il voit une partie de ses semblables jouir de ce bien être auquel il ne peut aspirer. Au sein de sa plus grande détresse, l'Indien conserve une certaine indépendance qui a ses charmes et sa dignité. Tout indigent qu'il est, et quoique affamé, il est pourtant libre dans ses déserts ; et le sentiment qu'il a de cette liberté adoucit pour lui bien des souffrances. L'Irlandais subit le même dénuement, sans avoir la même liberté ; il est soumis à des règles, à des entraves de toute sorte ; il meurt de faim et il a des lois ; triste condition, qui réunit les vices de la civilisation et ceux de la nature sauvage."

And this was not seventy years ago. What an unanswerable indictment it was of the government of Ireland ! Wherever her governors planted their foot in the island the grass seemed to wither, and the peasant to die or disappear. There was nothing like it in all Europe. The rulers of Ireland would have shaken her off for ever had they been able, but that was impossible. She was fixed in the ocean, and so were they. She hung upon their skirts, and they had not sufficient knowledge of their craft to govern her. In the final Report of the Irish Railway Commission, published in 1838, Thomas Drummond wrote—

"In the southern districts (of Ireland) we find a population whose condition is, in every respect, inferior to that of the northern ; their habitations are worse ; their food inferior, consisting at best of potatoes and milk without meal ; the wages of labour are found reduced from one shilling to eightpence per day ; yet the peasantry are a robust, active, and athletic race, capable of great exertion ; often exposed to great privations ; ignorant, but eager for instruction ; and readily trained under judicious management to habits of order and steady industry.

"The population of the midland districts does not differ materially from those of the south ; but the inhabitants of the western districts are decidedly inferior to both in condition and appearance ; their food consists of the potato alone, without meal, and in most cases without milk ; their cabins are

wretched hovels ; their beds straw ; the wages of labour are reduced to the lowest point, upon an average not more than sixpence a day. Poverty and misery have deprived them of energy, labour brings no adequate return, and every motive to exertion is destroyed. . . .

"But the spirit of the Irish peasant is by no means so sunk by the adverse circumstances of his lot, as to be insensible to the stimulus which a due measure of encouragement to laborious industry supplies. Where employment is to be obtained with difficulty, and at a fair rate of compensation, his character and habits rise, in an incredibly short space of time, with the alteration of his circumstances. In a state of destitution no race of people are more patient and resigned . . . yet the same race, who endure the last extremes of want without a murmur, are no sooner placed in a condition of supporting themselves by independent industry, than they cast aside the torpor which distinguishes them in a depressed state, and become active, diligent, and laborious."

APPENDIX XXXVIIA

(See Chapter VI, p. 189)

BETWEEN 1838 and 1898 the unions varied from 130 to 163 in number, and were the principal units for carrying the poor-law system into effect. They were again subdivided into lesser districts, electoral divisions for the county, and wards for the larger towns, and the persons chosen to administer the poor law were taken from those areas, the unions and all that appertained to them being placed under the control of the Central Government represented by the Local Government Board of Ireland. The persons returned from the electoral divisions and the wards were selected by the votes of the ratepayers, and were known as the elected guardians. Thus a popular element, which had never been introduced into Irish County Government by the grand juries, was infused into the administration of the poor law. The vote of the ratepayers, however, was cumulative, not single, the largest ratepayers possessing the most votes. The elected guardians, in theory at least, were balanced by an equal number of *ex officio* guardians, composed of magistrates within the unions. The chief duties of the elected and *ex officio* guardians, collectively known as Board of Guardians, were to provide for the wants of the poor, and to assess and levy poor rates for that purpose ; but many other duties were gradually imposed upon them, the principal being the supervision of the sanitary state of the lesser towns within their districts. There was a marked difference between the incidence of the poor rate and that of the county rate or cess levied by the grand juries. The latter was mainly a charge on the Catholic occupiers of the soil ; the former fell largely upon the owners, who were for the most part Protestants. For the landlord was obliged to pay the whole of the poor rate in the case of the smallest holdings, and to allow his tenants half of it in the case of other ones. The elected guardians, moreover, had the administration of the poor law practically in their own hands ; the *ex officio* guardians taking little part in the business.

APPENDIX XXXVIII

(See Chapter VII, p. 191)

As a historian has said—

"Within this monopoly smaller monopolies arose until, in many Irish towns, the corporate bodies had become mere family parties—all offices being

held by relatives and dependents of the chief member, or of a great Protestant landlord in the neighbourhood : even the Parliamentary member being merely a nominee of these nominees. These usurped powers became actually subjects of the proprietorship—being transmitted by inheritance, openly sold to competitors, and recognized as a ground of compensation by the National Government when the Union interfered with the right of those ‘patrons’ or proprietors to send members to Parliament. Again, a large number—in some cases almost the whole body—of burgesses were non-residents, patronized by the officials and introduced to borough privileges in swarms, while the inhabitants were left helpless, to be victimized by their impertinent oppressors. The Commissioners’ reports of 1833 tell of thousands of acres of land which would in that year have readily brought in £1 an acre, being let on leases of ninety-nine years, for 1s. an acre, or less ; of tolls and customs being pocketed, as a matter of course, by the mayor and aldermen, while the streets were unpaved, dark, and never cleaned ; of the noble waterworks of Archbishop Bolton at Cashel being destroyed from utter neglect—miles of underground conduits being choked up, and the water turned off for the convenience of a miller—the whole being recoverable by an outlay of £500 while the corporate officers were making presents to one another of many thousands annually by iniquitous leases and bargains.”

In fact, the whole government of the country was steeped in corruption, and municipalities were but a branch of this system of open fraud. Edward Wakefield wrote in 1812—

“Ireland is a country where aristocratic influence is more prevalent than in England. Everything which Government has to bestow being reserved for parliamentary interest, and conferred on the higher order of Protestants ; there is no middle order of people to balance between the very great and the very humble ; and two other bad effects are the consequence, that of fostering religious distinctions, and discouraging merit, the only proper qualification for public office. A disgraceful system of political corruption, the source of which it might not be difficult to discover, pervades all ranks, from the peer to the peasant. By a small proportion of peers their representatives are elected—and the wishes of the Castle destroy, in every case, the independence of the nobility. It is well known that a great national undertaking, the Royal Canal, has been cut in a wrong direction, that it might pass near a great man’s estate. Regiments of Militia have been raised for the purpose of extending patronage, by giving the nomination of officers to certain individuals. Barracks have been erected for the purpose of creating a market for an adjoining property. If we look at the Pension List, and examine the sums paid by way of compensation, a momentary doubt will not be entertained, that in Ireland a wide-spreading system of corruption prevails. During the existence of the Irish Parliament, the very idea of honesty was held in derision. When a gentleman, whose wife and daughters were loaded with the weight of public money, rose to address the Legislature, and began by saying, ‘If ever I gave an honest vote in my life’—the roar of laughter was so great that he could not proceed. Were such instances uncommon, ridicule might produce some effect ; but being general, venality loses its odious character, and individuals console themselves with the reflection, that others are as bad as themselves. But there is little difference between the senator who commences in this manner, whose notorious corruption is a source of merriment, and the perjured witness, on the table at a quarter sessions, whose witty answers entertain the whole auditory, while the judge, perhaps, concludes that the amusement he has afforded may be balanced against the profligacy of his conduct.”

APPENDIX XXXVIII_A

(See Chapter VII, p. 194)

IN introducing it he said—

"I will take leave to quote the principle of our conduct from the recorded words of a very great man. . . . Mr. Fox stated, in a very eloquent speech which he delivered in 1797, the principles on which he conceived the government of Ireland should be conducted. He stated in his usual frank—it might be said incautious—manner that he conceived that concessions should be made to the people of Ireland; he said, if he found he had not conceded enough, he would concede more; he said that he thought the only way of governing Ireland was to please the people of Ireland, that he knew no better source of strength to this country; and he declared in one sentence which I will read to the House, his wish with respect to the government of Ireland. 'My wish is,' said Mr. Fox, 'that the whole people of Ireland should have the same principles, the same system, the same operation of government; and though it may be a subordinate consideration, that all classes should have an equal chance of emolument; in other words, I would have the whole Irish government regulated by Irish notions and Irish prejudices; and I firmly believe, according to another Irish expression, the more she is under Irish government, the more will she be bound to English interests.'"

APPENDIX XXXIX

(See Chapter VIII, p. 201)

JOHN PHILPOT CURRAN said in 1812—

"The whole history of mankind records no instance of any hostile Cabinet, perhaps, even of any Cabinet, actuated by the principles of honour or of shame. The Irish Catholic was, therefore, taught to believe that if he surrendered his country he would cease to be a slave. The Irish Protestant was cajoled into the belief that, if he concurred in the surrender, he would be placed upon the neck of a hostile faction. Wretched dupe! you might as well persuade the jailer that he is less a prisoner than the captives he locks up, merely because he carries the key in his pockets. By that reciprocal animosity, however, Ireland was surrendered—the guilt of the surrender was most atrocious—the consequences of the crime most tremendous and exemplary. We put ourselves into a condition of the most unequalled servitude, we sold our country and we levied upon ourselves the price of the purchase; we gave up the right of disposing of our own property; we yielded to a foreign Legislature to decide whether the funds necessary to their projects, or their profligacy, should be extracted from us, or be furnished by themselves. The consequence has been that our scanty means have been squandered in her internal corruption, as profusely as our best blood has been wasted in the madness of her aggressions, or the feeble folly of her resistance. Our debt has accordingly been increased more than tenfold—the common comforts of life have been vanishing—we are sinking into beggary—our poor people have been worried by cruel and unprincipled prosecutions; and the instruments of our government have been almost simplified into the tax gatherer and the hangman."

Unfortunately the magistrates could not boast of clean hands. Edward Wakefield writing at this time of the magistracy in Ireland observed—

"I have so frequently witnessed instances of partiality, corruption, venality, barbarous ignorance, tyranny, conceit, and negligence in the Irish magistrates

that I cannot speak of such conduct in terms of sufficient reprobation. I am not preferring a complaint which is not made by almost every man who has applied to them for redress, or who has had an opportunity of observing their behaviour. Yet being unwilling that the reader should trust entirely to my statement, in a charge of so serious a nature, I shall insert the following extracts from Irish authorities :—Lord Kingston contended that ‘the magistrates in the County of Sligo were the real promoters of the disturbances. The conduct of many of them was such as to disgrace the magistracy, and some of them deserved rather to be hanged than to be made magistrates.’

“Mr. Justice Day, in his charge to the Grand Jury of the County of Kerry, at the Spring Assizes of 1811, accused the magistrates of that county of neglect, corruption, and partiality, and the report of his charge was published in all the Irish newspapers. The judge, who presided in the criminal court of the northern circuit at the same assizes, mentioned instances of gross partiality in the conduct of the magistrates in the County of Down.

“The proceedings of the Court of King’s Bench, Dublin, on the 18th of November, 1811, on the motion of Mr. Serjeant Moore, contain a further account of magisterial practices in Leitrim.

“The recent case of Lord Louth, who was first tried at the Spring Assizes of Dundalk, and subsequently received sentence in the Court of King’s Bench, Dublin, is already before the public ; and the instances given in the newspapers, in the course of last year, would form a catalogue of delinquency, which could not be perused without the liveliest sentiments of indignation. . . . When insurrections take place in Ireland, the whole blame is attributed to the people, although they most commonly occur from the corruption or neglect of the magistracy ; it is seldom, however, that the hand of justice is raised to punish them for their misconduct. The accounts of disturbances never reach my ear from Ireland without exciting a wish that an inquiry might be instituted into the manner in which the magistrates conduct themselves on such occasions, for I am convinced that, if they acted right and exerted themselves with proper zeal and spirit, much mischief might be prevented and much trouble saved to the judges, as well as to the executioners of the law.”

APPENDIX XXXIXA

(See Chapter VIII, p. 205)

THE WHIG MISSIONARY OF 1835

“SCUM condensed of Irish bog !
 Ruffian, coward, demagogue !
 Boundless liar, base detractor !
 Nurse of murders, treason’s factor !
 Of Pope and priest the crouching slave,
 While thy lips of freedom rave.
 Of England’s fame the viprous hater,
 Yet wanting courage for a traitor.
 Ireland’s peasants feed thy purse,
 Still thou art her bane and curse.
 Tho’ thou liv’st, an empire’s scorn,
 Lift on high thy brazen horn.
 Every dog shall have his day,
 This is thine of brutish sway.
 Mounted on a Premier’s back,
 Lash the Ministerial pack ;

At thy nod they hold their places,
 Crock their sinews, grind their faces.
 Tho' thy hand had stabbed their mother,
 They would fawn and call thee brother.
 By their leave pursue thy calling,
 Rend thy patriot lungs with bawling ;
 Spout thy filth, effuse thy slime,
 Slander is in thee no crime.
 Safe from challenge, safe from law,
 What can curb thy callous jaw ?
 Who would sue a convict liar ;
 On a poltroon who would fire ?
 Thou may'st walk in open light,
 Few will kick thee, none can fight.
 Then grant the Monster leave to roam,
 Let him slaver out his foam ;
 Only give him length of string,
 He'll contrive himself to swing."

APPENDIX XL

(See Chapter VIII, p. 205)

THE following correspondence may be of interest as showing the competition of Billingsgate between Daniel O'Connell and the future leader of the Tory party.

In the General Election of 1835 Disraeli appeared at Taunton as the Tory candidate, and on the hustings described O'Connell as an "incendiary and a traitor," and denounced the Whigs for having grasped his "bloody hand." O'Connell, thereupon, at a meeting of the Dublin Franchise Association on May 2, 1835, at the Dublin Corn Exchange, having described his former relations with Disraeli, when the latter had used O'Connell's name in support of his candidature, when contesting Wycombe as a Radical in 1832, said—

"At Taunton this miscreant had the audacity to style me an incendiary ! Why, I was a greater incendiary in 1831 than I am at present, if I ever were one, and if I am he is doubly so, for having employed me. Then he calls me a traitor. My answer to that is, he is a liar. He is a liar in action and in words. His life is a living lie. He is a disgrace to his species. What taste of society must that be that could tolerate such a creature having the audacity to come forward with one set of principles at one time, and obtain political assistance by reason of those principles, and at another to profess diametrically the reverse ? His life, I say again, is a living lie. He is the most degraded of his species and kind, and England is degraded in tolerating, or having upon the face of her society a miscreant of his abominable, foul, and atrocious nature. My language is harsh, and I owe an apology for it ; but I will tell you why I owe that apology ; it is for this reason, that if there be harsher terms in the British language I should use them, because it is the harshest of all terms that would be descriptive of a wretch of his species. He possesses just the qualities of the impenitent thief who died upon the cross, whose name, I verily believe, must have been D'Israeli. For ought I know, the present D'Israeli is descended from him, and with the impression that he is, I now forgive the heir-at-law of the blasphemous thief who died upon the cross."

Upon this Disraeli demanded satisfaction from Morgan O'Connell, O'Connell's son, on May 5, but the son declined to fight. So Disraeli published the same day the following letter, which began—

"Mr. O'Connell, although you have long placed yourself out of the pale of civilization, still I am one who will not be insulted even by a yahoo without chastising it."

And concluded—

"I admire your scurrilous allusion to my origin. It is clear that the 'hereditary bondsman' has already forgotten the clank of his fetters. I know the tactics of your church—it clamours for toleration, and it labours for supremacy. I see that you are quite prepared to prosecute. With regard to your taunts as to my want of success in my election contests, permit me to remind you that I had nothing to appeal to but the good sense of the people. No threatening skeletons canvassed for me. A death's-head and cross-bones were not blazoned on my banners. My pecuniary resources, too, were limited. I am not one of those public beggars that we see swarming with their obtrusive boxes in the chapels of your creed, nor am I in possession of a princely revenue arising from a starving race of fanatical slaves. Nevertheless, I have a deep conviction that the hour is at hand when I shall be more successful, and take my place in that proud assembly of which Mr. O'Connell avows his wish to be no longer a member. I expect to be a representative of the people before the repeal of the Union. We shall meet at Philippi; and rest assured that, confident in a good cause and in some energies which have not been altogether unimproved, I will seize the first opportunity of inflicting upon you a castigation which will make you at the same time remember and repent the insults you have lavished upon

"BENJAMIN DISRAELI."

Disraeli then once more asked Morgan O'Connell for satisfaction, but was again refused it.

APPENDIX XLA

(See Chapter VIII, p. 205)

THEOBALD MATHEW was born on October 10, 1790, at Thomastown, a mansion five miles west of Cashel, the ancient capital of the county of Tipperary, and at the head of what was locally known as the "Golden Vale." In 1847 the Queen granted him a pension of £300 a year, and he was informed of the grant by Lord John Russell. In 1849 he visited the United States. On his arrival in Washington a resolution was unanimously carried in the House of Representatives admitting him to a seat on the floor of the House, and when he made his appearance the members rose to receive him. The same proposition was made in the Senate by Mr. Walker, senator for Wisconsin, and after a certain amount of debate and opposition, on account of certain former remarks by Mathew in denunciation of slavery, was carried by 33 to 18. The only man on whom this honour had been previously conferred was Lafayette. It was computed that he administered the pledge to more than 600,000 persons in the United States. He died in the sixty-sixth year of his age and the forty-second of his ministry, on December 8, 1856.

APPENDIX XLI

(See Chapter VIII, p. 208)

A PASSAGE from the Report (1845) of the Devon Commission, appointed in 1843, gives an idea of the condition of the labouring classes—

"A reference to the evidence of most of the witnesses will show that the

agricultural labourer of Ireland continues to suffer the greatest privations and hardships ; that he continues to depend upon casual and precarious employment for subsistence ; that he is still badly housed, badly fed, badly clothed, and badly paid for his labour. Our personal experience and observation, during our inquiry, has afforded us a melancholy confirmation of these statements ; and we cannot forbear expressing our strong sense of the patient endurance which the labouring classes have generally exhibited, under sufferings greater, we believe, than the people of any other country in Europe have to sustain."

And again—

"In many districts their only food is the potato, their only beverage water ; their cabins are seldom a protection against the weather ; a bed or a blanket is a rare luxury ; their pig and their manure-heap constitute their only property."

On October 19, 1843, Richard Cobden had said at Manchester—

"We have had a notion that, to four millions at least in Ireland (and Ireland has its corn law as well as England), wheaten bread is a luxury only seen occasionally, and never tasted."

Again, on October 28, 1845, he declared in a speech in the same city—

"Ireland has been in a state of semi-famine for the last thirty years ; and in 1822 you had subscriptions in England—every church was thrown open—you had £250,000 raised in England, and sent to Ireland, to save the two provinces of Connaught and Munster from a state of actual famine ; but nobody said a word about repealing the corn laws then ; not the slightest syllable was said about relieving the people of Ireland by admitting foreign corn ; and what I wish to impress upon you now is this, that it is not the opening of the ports alone we want, but we want to set our backs against them to prevent them from ever being shut again. Do you not think we may find some arguments nearer home in favour of this principle ? I believe many of you are brought here because you have an idea that things are not looking quite so promising as they have been in Lancashire. You are not arrived exactly at that state they are in in Ireland, where they have commissioners sent over just now, learned doctors, to see how much the patient will bear, to see how much it can endure. They have got it upon the rack, and there are learned doctors round it feeling the pulse, to see if the patient will live a little longer, or to see whether it should be taken off the rack. Then the *Standard* newspaper tells us, that even if the patient is taken off the rack, it shall be put on again as soon as it will bear it. Now you are not exactly arrived at that state yet." (*Speeches*, in 2 vols., 1870.)

No ! England never quite arrived at that state, and why ? For an excellent reason ; because no one dared to put *her* upon the rack. With Ireland it was a totally different matter. She was poor, and feeble, and friendless, and could only retaliate by a groan or a bootless struggle for freedom. There was no possible danger in torturing *her*. How her bones cracked ! How her joints leaped from their sockets ! What convulsive shapes she twisted herself into ! How terribly she shrieked ! How the sweat trickled down her temples in agony, and all the ministers looking on ! But, it was not at all dangerous.—That was the excellent reason.

APPENDIX XLIA

(See Chapter VIII, p. 215)

JOHN RUSKIN many years later wrote of Venetian justice in his *Stones of Venice*—

"We had, perhaps, better consider, with some carefulness, the mode in

which our own government is carried on, and the occasional difference between parliamentary and private morality, before we judge mercilessly of the Venetians in this respect. The secrecy with which their political and criminal trials were conducted, appears to modern eyes like a confession of sinister intentions ; but may it not also be considered, and with more probability, as the result of an endeavour to do justice in an age of violence ? the only means by which Law could establish its footing in the midst of feudalism. Might not Irish juries at this day justifiably desire to conduct their proceedings with some greater approximation to the judicial principles of the Council of Ten ? ”

APPENDIX XLIB

(See Chapter VIII, p. 215)

MACAULAY said in the debate on the subject on February 19, 1844—

“ I know that all the technicalities of the law were on the side of the Crown, but my great charge against the Government is, that they have merely regarded this question in a technical point of view. We know what the principle of the law is, in cases where prejudice is likely to arise against an alien, and who is to be tried *de medietate lingue*. Is he to be tried by twelve Englishmen ? No ; our ancestors knew that that was not the way in which justice could be obtained—they knew that the only proper way was to have one-half of the jurymen of the country in which the crime was committed, and the other half of the country to which the prisoner belonged. If any alien had been in the situation of Mr. O’Connell, that law would have been observed. You are ready enough to call the Catholics of Ireland ‘ aliens ’ when it suits your purpose ; you are ready enough to treat them as aliens when it suits your purpose ; but the first privilege, the only advantage, of alienage, you practically deny them.”

APPENDIX XLII

(See Chapter VIII, p. 217)

MACAULAY said—

“ Why is it that you have, when in power, abstained from proposing that change in the mode of registration which, when you were out of power, you represented as indispensable ? You excuse yourselves by saying that now the responsibilities of office are upon you. In plain words, your trick has served its purpose. Your object—for I will do justice to your patriotism—your object was not to ruin your country, but to get in ; and you are in. Such public virtue deserved such a reward, a reward which has turned out a punishment, a reward which ought to be, while the world lasts, a warning to unscrupulous ambition. Many causes contributed to place you in your present situation. But the chief cause was, beyond all doubt, the prejudice which you excited amongst the English against the just and humane manner in which the late ministers governed Ireland. In your impatience for office you called up the devil of religious intolerance, a devil more easily evoked than dismissed. He did your work ; and he holds your bond. You once found him an useful slave ; but you have since found him a hard master. It was pleasant, no doubt, to be applauded by high churchmen and low churchmen, by the Sheldonian theatre and by Exeter Hall. It was pleasant to be

described as the champions of the Protestant faith, as the men who stood up for the gospel against that spurious liberality which made no distinction between truth and falsehood. It was pleasant to hear your opponents called by every nickname that is to be found in the foul vocabulary of the Reverend Hugh Macneill. It was pleasant to hear that they were allies of Antichrist, that they were servants of the man of sin, that they were branded with the mark of the Beast. But when all this slander and scurrility had raised you to power, when you found that you had to manage millions of those who had been, year after year, constantly insulted and defamed by yourselves and your lackeys, your hearts began to fail you . . . there is not in the whole kingdom a Roman Catholic of note who is your friend. Therefore, whatever your inclinations may be, you must intrust power in Ireland to Protestants, to Ultra-Protestants, to men who, whether they belong to Orange lodges or not, are in spirit Orangemen. Every appointment which you make increases the discontent of the Roman Catholics. The more discontented they are, the less you can venture to employ them. The way in which you treated them while you were in opposition has raised in them such a dislike and distrust of you that you cannot carry the Emancipation Act into effect, though, as you tell us, and as I believe, you sincerely desire to do so. As respects the offices of which you dispose, the Act is null and void. Of all the boons which that Act purports to bestow on Roman Catholics they really enjoy only one, admission to Parliament; and that they would not enjoy if you had not been able three years ago to carry your Irish Registration Bill. You have wounded national feeling; and the animosity which you have roused shows itself in a hundred ways, some of which I abhor, some of which I lament, but at none of which I can wonder. They are the natural effects of insult and injury on quick and ill-regulated sensibility. You, for your own purposes, inflamed the public mind of England against Ireland; and you have no right to be surprised by finding that the public mind of Ireland is inflamed against England. You called a fourth part of the people of the United Kingdom aliens; and you must not blame them for feeling and acting like aliens. You have filled every public department with their enemies. What then could you expect but that they would set up against your Lord-Lieutenant and your official hierarchy a more powerful chief and a more powerful organization of their own? They remember, and it would be strange indeed if they had forgotten, what under the same chief, and by a similar organization, they extorted from you in 1829; and they are determined to try whether you are bolder and more obstinate now than then. . . . All the sympathies of all continental politicians are with the Irish. We are regarded as the oppressors, and the Irish as the oppressed. An insurrection in Ireland would have the good wishes of a great majority of the people of Europe. And, Sir, it is natural that it should be so."

APPENDIX XLIIA

(See Chapter VIII, p. 218)

THE aspirations of its followers were eloquently summed up a little later in a speech by Meagher, then quite a young man—

"There are but two plans for our consideration—the one within the law, the other without the law. Let us take the latter. I will then ask you, Is an insurrection practicable? Prove to me that it is, and I for one will vote for it this very night. You know well, my friends, that I am not one of those tame moralists who say that liberty is not worth a drop of blood. Men who subscribe to such a maxim are fit for out-of-door relief, and for nothing better.

Against this miserable maxim the noblest virtue that has saved and sanctified humanity appears in judgment. From the blue waters of the Bay of Salamis—from the valley over which the sun stood still and lit the Israelites to victory—from the Cathedral in which the sword of Poland has been sheathed in the shroud of Kosciusko—from the convent of St. Isidore, where the fiery hand that rent the ensign of St. George upon the plains of Ulster has crumbled into dust—from the sands of the desert, where the wild genius of the Algerine so long has scared the eagle of the Pyrenees—from the ducal palace in this kingdom, where the memory of the gallant Geraldine enhances more than royal favour the nobility of his race—from the solitary grave within this mute city which a dying request has left without an epitaph—oh! from every spot where heroism has had a sacrifice or a triumph, a voice breaks in upon the cringing crowd that cherishes this maxim, crying out, Away with it! away with it!”

APPENDIX XLII B

(See Chapter VIII, p. 221)

ON November 25, 1802, he wrote to her from Dublin—

“I can write you but a few lines, as it is growing late and my time is small. I was finishing some law business which I had solemnly promised to dispose of this night.

“You will know, my heart’s dearest treasure, that whether I write few or many words, there certainly is not in the world a man who more fondly doats on, or who so anxiously longs for the arms of his wife. Day and night you are continually present to my fond thoughts, and you always increase my happiness or lighten my cares. With you I could live with pleasure in a prison or a desert. You are my all of company, and if I can but preserve your love I shall have in it more true delight than can be imagined by any one but he who sincerely loves. Sweet Mary, I rave of you! I think only of you! I sigh for you! I weep for you! I almost pray to you! Darling, I do not—indeed, I do not—exaggerate. If there be more of vehemence in my expressions, believe me that vehemence has its justification in my heart—a heart that is devoted to the most enticing of her sex. Indeed, you are a dear, charming little woman.

“Your last letter I have read again and again and again. It is in every respect a most pleasing letter to me, not only from the heart-flowing strain of tenderness in which it is written, but the saucy gaiety of some of the passages show me how much recovered my love is. Mary, how fondly I shall cherish the little stranger coming! I hope it may be a daughter, and as like you as possible. Oh God, how I then will love her! How sincerely will I express my affection to the mother in the caresses I bestow on the child. Dearest, sweetest wife, I can thus hope to be able to prove to you the ardour and the purity of the pleasing affection—to me, at least, most pleasing affection—with which my whole soul doats on you.

“Dearest, I am writing with great rapidity, but still my thoughts run faster than my pen. I could praise you a thousand times faster than I write, as I love you a thousand times more than I can tell.”

(See Macdonagh’s *Life of O’Connell*.)

APPENDIX XLIII

(See Chapter IX, p. 226)

DURING the debate upon the third reading, on August 7, Richard Binsley Sheridan said—

"With respect to the Bill itself, when I look at it, compare it with that which lately passed the House, I must say, that if the former seemed curious in its form and substance, this is ten thousand times more so—it is really most abominable. But at the same time as if it were meant to make the measure both odious and ridiculous, it is so constructed, as that it will plunder the people of their arms, and put down the trade of a blacksmith. Nothing like a blacksmith is to exist in Ireland lest he may possibly form something like a pike. If ever there was an instance in which the liberties of a loyal people were taken from them, and they were thereby tempted to become disloyal, it is the present. Indeed, from the general spirit in which the Bill is framed, I think there is something still wanting, and I should propose to add a clause by way of rider to this Bill making it high treason for any man to communicate either of these Bills to Napoleon Bonaparte, Emperor of the French, lest he should conceive them to be direct invitations to him to visit that part of His Majesty's Empire." (*Speeches*, 3 vols., 1842.)

It was certainly the most extraordinary fact that the Irish always required coercion, and were continually in a state of chronic insurrection. That this was not due to the incorrigible, ingrained perversion of the character of the Irish people, but solely to the curiously contrived *régime* under which the island lay, has been demonstrated by nearly every writer who has discussed the question in modern or earlier times. The exact and impartial Thomas Newenham, drawing a comparison, wrote in 1809—

"The habitations of the Irish peasantry, it must be admitted, are, for the most part, little better than the huts of savages. The accommodations of the former, in few respects only, surpass those of the latter. The Irish peasant and the savages are almost equally capable of enduring hunger, fatigue and inclemency of weather. And, perhaps, it may be added, that, owing to the past misgovernment of Ireland, the Irish peasant does not much excel the savage in just notions of liberty, or in due respect for the laws and civil institutions of man. But here the resemblance positively ceases. In all other particulars, the Irish peasant will be found, at least, as far above the level of the savage man, as the well-housed, well-clad, and well-accommodated peasant of England. The religion of the former may not be quite so evangelical as that of the latter. But a high veneration for religion; a firm reliance thereon; a steadfast belief in all the articles of Christian faith; and a scrupulous attendance at divine worship, are, beyond comparison, more common among the inferior orders of the Roman Catholic Irish, than among those of the Protestant English. An individual, utterly uninfluenced by a sense of religion, is rarely to be found among the former; but among the latter, especially in the mining and manufacturing districts, the contrary is sufficiently notorious. Fierce, vindictive and cruel the Irish peasant confessedly is when goaded, oppressed and tyrannically treated, as he often has been. But when otherwise, he certainly eclipses the peasant of England, in all the minor virtues of civilized man, superadded to the hospitality and, occasionally, to the fidelity of the savage. Affable, compassionate, generous, flexible, ready to serve, anxious to please, generally submissive, respectful where respect is known to be due, addicted rather to flattery than rudeness, the Irish peasant, when treated in an unaffected and conciliatory manner, with that kindness he deserves, with that generosity he is ever disposed to exercise, with that frankness which allays his habitual suspicions,

and with the restrictedly polite familiarity which gratifies his native pride, will seldom fail to endear himself to his patron, or his benefactor, and to exhibit a character, which, upon the whole, may be considered as not unworthy of a very high degree of philosophic approbation.

"The outrages and atrocities of Irish white boys, right boys and rebels have, it is true, been barbarous and horrifying. But if authentic documents be resorted to; if the criminal calendars of Ireland and England be compared; it will be found, that, with the exception of periods of insurrection, capital offences are not, in proportion, so numerous, in the former, as in the latter. It will be found, too, that those crimes which indicate an inconceivable degree of sensual depravity, and that which evinces an utter extinction of the natural, necessary, and interesting affection which predominates throughout the whole female world, and which are not unfrequent in England, are, the latter of them, extremely rare, and the former utterly unknown in Ireland."

Edward Wakefield, the more learned and equally painstaking and impartial author, who published in 1812 an account of his journey through Ireland, wrote in the same strain, depicting the oppression of tenant by landlord, and poor by rich, the many commendable features of the Irish peasantry's character, and the indifference of the Irish gentry to the miserable condition of the lower classes. Of the county of Waterford he says—

"a very little way from a barrack, murders, rapes, and robberies are daily committed; yet these atrocities arise neither from a spirit of revolt nor religious bigotry. The inhabitants are all Catholics, and in every outrage, they are Catholic against Catholic. This is to be ascribed, in some degree, to the prevalence of former habits; civilization has not been sufficiently introduced among the people; they have their traditions, and are still influenced by the old custom of fighting in septships; but I must add, that it arises, also, in a great measure, from systematic oppression, which perpetuates their ignorance, leaving them a prey to their own ungovernable passions. . . . The poor are much neglected by the richer classes in this district (Kilkenny and Carlow); and I have been informed of many, and have seen some glaring instances of tyranny and oppression to which they are subjected; I shall mention one. In the month of June 1809, at the races of Carlow, I saw a poor man's cheek laid open by a stroke of a whip. He was standing in the midst of a crowd, near the winning post; the inhuman wretch who inflicted the wound, was a gentleman of some rank in the county, but his name, for many reasons, I shall not mention. The unhappy sufferer was standing in his way, and without requesting him to move, he struck him with less ceremony than an English country squire would a dog. But what astonished me even more than the deed, and which shows the difference between English and Irish feeling, was that not a murmur was heard, nor hand raised in disapprobation; but the surrounding spectators dispersed, running different ways, like slaves terrified at the rod of their despot. I observed to a gentleman with whom I was in company, how different a feeling would have actuated the populace in England. There, no man who lifts his hand unjustly is sheltered by his rank. The bystanders are always ready to espouse the cause of the injured, and would themselves inflict summary punishment even on a nobleman who should violate the laws of his country by such an aggression. 'What!' replied my friend, 'would a man there dare to strike his superior?' 'Yes, and on his own estate, and in the midst of his tenantry.' 'Well, but twenty magistrates of the county of Carlow are present. Will they not interpose and redress this man?' 'Oh! no, they will get into no quarrel with —.' The conversation dropped, and I never felt so proud of being an Englishman; the subject of a country where no man's poverty precludes him from finding an advocate—where every instance of cruelty excites the noblest feelings of the heart; and where the law affords the same protection to the poor as to the rich." (*An Account of Ireland.*)

The same writer, after quoting a description of the lamentable state of the Russian peasant, observes—

"Now will any one, who has attentively perused the above account, say that the situation of many of the Irish peasants is much superior to that of the Russian boor? The latter, indeed, is the property of the person on whose estate he resides; but in the first case, provided he pay his *obrok*, he may go where he pleases to procure employment, and what he saves over and above that sum, he may appropriate to whatever purpose he thinks proper. In the other two cases, he is allowed a certain portion of land for the support of himself and family; and in return he either pays the *obrok* along with personal service, or the latter only; and in this he seems to be exactly on a level with the Irish *slave*, who is bound by the terms of his lease to cultivate in like manner the land of his *master*. The expressions I have here used may offend some delicate ears; but to call the former, tenant, would be a prostitution of language. Can such a system be suffered to remain any longer in a free country? Does it not excite the flush of shame in the cheeks of an Irishman to be told, that the internal economy of Ireland in regard to agriculture is very little different from that adopted under the most despotic government in Europe?"

And again—

"In Ireland, landlords never erect buildings on their property, or expend anything in repairs, nor do leases in that country contain so many clauses as in England. The office of an agent is thus made very easy, for he has nothing to do but to receive his employer's rents twice a year, and to set out the turf-bog in lots in the spring. Six months' credit is generally given on the rents, which is called the 'hanging gale.' This is one of the great levers of oppression by which the lower classes are kept in a kind of perpetual bondage, for as every family almost holds some portion of land, and owes half a year's rent which a landlord can exact in a moment, this debt hangs over their heads like a load, and keeps them in a continual state of anxiety and terror. If the rent is not paid, the cattle are driven to the pounds, and if suffered to remain there a certain number of days, they are sold. This I have frequently seen done after the occupying tenant had paid his rent to the middle-man, who had failed to pay it to the head landlord. The numerous instances of distress occasioned by this severity, which every one who has resided in Ireland must have witnessed, are truly deplorable; and I believe them to be one of the chief causes of those frequent risings of the people, under various denominations, which at different times have disturbed the internal tranquillity of the country, and been attended with atrocities shocking to humanity and disgraceful to the empire.

"Though few leases contain clauses by which the tenant is bound to cultivate the ground in a particular manner, there are some which oblige him, when called upon, to labour for his landlord at an inferior rate of wages. The common price in these cases is eightpence a day, in some instances only sixpence; and in consequence of the service required by this clause being neglected, I have *seen* a poor man's cattle taken from his door, and driven away without the least expression of feeling or regret. If a peasant consents to the introduction of such a clause into his lease, and he binds himself to work for his landlord when required, at a fixed rate of wages, which is always low, can any one be surprised that the Irish are reproached with idleness or that they should perform work under such circumstances in a careless or slovenly manner? Can men who hold leases on conditions so degrading, be considered as living in any other state than that of slavery?"

And again in the same treatise—

"There is a district, comprehending Donegal, the interior of the county of Derry, and the western side of Tyrone, which is emphatically called by the people 'the Black North,' an expression not meant, as I conceive, to mark its greater exposure to the westerly winds, but rather to its dreary

aspect. The higher classes having no establishments here, they are represented by agents, whose character is strongly marked by fawning obsequiousness to their employers, whose confidence they abuse, and unrelenting severity to the tenants whom they unceasingly oppress. There are immense tracts in this part of the country which their owners never deigned to gladden by their presence: and many of the grand juries in these northern counties are composed of the men I have here described."

The author of "An Inquiry into the Causes of Popular Discontent in Ireland," published in 1804, wrote—

"It has not been unusual in Ireland for great landed proprietors to have regular prisons in their houses for the summary punishment of the lower orders. Indictments preferred against gentlemen for similar exercise of power beyond law are always thrown out by the grand juries. To horse-whip or beat a servant or labourers is a frequent mode of correction. But the evil is not so great among the gentlemen of large property, whose manners have generally been softened by education, travelling, and the progress of humanity and civilization. A horde of tyrants exists in Ireland in a class of men that are unknown in England; in the multitude of agents to absentees; small proprietors, who are the pure Irish squires; middle-men, who take large farms, and squeeze out a forced kind of profit by reletting them in small parcels; lastly, the little farmers themselves, who exercise the same insolence they receive from their superiors, on those unfortunate beings who are placed at the extremity of the scale of degradation, the Irish peasantry."

The savage insolence to which the Irish peasant had to submit was also described by John Gough, an Englishman, who travelled in Ireland in 1813 and 1814—

"The general condition of the labouring poor in this (Tipperary) and the neighbouring counties is certainly very wretched, seldom treated by their employers with that humanity and attention their useful labours so justly merit. . . . But poverty is not all these poor people have to bear. They have to encounter insults much harder than poverty. It has been the policy of their imperious masters to keep them totally ignorant of the blessings of our glorious constitution, the beauty of which is carefully hid from their eyes. They have no idea of an impartial administration of justice, and should they have a dispute with any of their equals (for to contend with their superiors never enters their heads), they would not think of any dependence on the justice of their cause, but on the interest that, through the means of their master, or any other gentleman, could be made with the justice of the peace. If a man on horseback, riding in dirty weather, should meet a poor man on foot, who did not immediately get out of his way to let him pass easily on, he would give him a pretty good chastisement with his horsewhip, and the peasant would not offer to resent, but, with hat in hand, ask his pardon. Of this I have been myself an eye-witness."

This was the condition of the Irish peasant—a serf in his own home; trampled underfoot by an insolent aristocracy, and without any means of retaliation except the horrors of civil war. And what, after all, could civil war do for him? His nation was weak; his resources were his own right arm alone; and he had no leader and no hope of eventual success. Is it wonderful, then, that his ways seemed strange; that like a mad dog he scarcely knew where to run, and goaded to the extremity of exasperation bit every one who came in his path?

APPENDIX XLIII^A

(See Chapter IX, p. 230)

JOHN STUART MILL wrote, over forty years later, in regard to this period—
 “There are parts of Europe, such as East Prussia, where the land is chiefly owned in large estates, but where almost every landowner farms his own land. In Ireland, until a recent period, any one who knew the country might almost have counted those who did anything for their estate but consume its produce. The landlords were a mere burthen on the land. The whole rental of the country was wasted in maintaining, often in reckless extravagance, people who were not nearly so useful to the hive as the drones are, and were entitled to less respect. These are the antecedents of Irish history in respect to property in land. Let any Englishman put himself in the position of an Irish peasant, and ask himself whether, if the case were his own, the landed property of the country would have any sacredness to his feelings. Even the Whiteboy and the Rockite, in their outrages against the landlord, fought for, not against, the sacredness of what was property in their eyes ; for it is not the right of the rent-receiver, but the right of the cultivator, with which the idea of property is connected in the Irish popular mind.” (*England and Ireland*.)

APPENDIX XLIV

(See Chapter IX, p. 233)

CHARLES GRANT, the Chief Secretary (afterwards Lord Glenelg), speaking in the House of Commons on Sir John Newport's motion on April 10, 1822, for a redress of Irish grievances, which had been brought forward on the passing of the Insurrection Act, and commenting upon the resemblance in their origin between the old insurrection of the Hearts of Steel and the existing troubles, said—

“A disturbance which, in its origin, so far resembles the present, that its exciting cause was the resentment produced in the minds of a body of tenantry by what they deemed the oppressive conduct of the agent of a great landed proprietor. The evil was, as usual, suppressed by force.

“With respect to the latter, it is notorious, as I have already intimated, that they originated in the discontent and resentment excited in the minds of the tenants of a very extensive property by the proceedings of the agent under whose management that property was placed. This was the proximate cause ; and without reference to any other circumstances, it is obvious how widely the peace of a county would be affected when a body of tenantry amounting to 20,000 persons, were thrown into a state of furious agitation. . . .

“Such, Sir, has been the series of commotions which for the last sixty years have tormented and desolated Ireland. It is remarkable how nearly they resemble each other in their principal features, though varying unquestionably in the shades of atrocity. It would be easy to quote, with regard to each of them, passages of speeches pronounced in Parliament or of publications written at the time, which, with slight alterations, would describe them all. The complaints respecting the causes of these calamities are through this long period, nearly echoes of each other. In truth they all spring

immediately from local oppressions, and were diffused and propagated by the operation of the same peculiar circumstances in the character and condition of the people of Ireland. They were all, in succession, quelled, but as yet no effort has been made by the Legislature to effect a permanent and satisfactory cure. This very fact, however—I mean the continued recurrence of such events—is itself a proof that there must be something diseased in the system. In every country local oppression may take place, and local commotions may follow. But the question that naturally suggests itself with respect to Ireland is this :—How does it happen that a local commotion becomes so rapidly a general disturbance? How does it happen that the spirit which at first discovers itself in a small district spreads almost instantaneously over a large territory, and throws, in a very short time, nearly half a province into the most frightful convulsions? This is the peculiarity of the subject. What is the state of society that admits of such an evil? Are there no laws—no guards and preservatives of civil order—no barriers to resist encroachments on the public tranquillity?”

Yes, there have been many laws passed for Ireland, but they “have been sown like dragons’ teeth and have sprung up armed men.” Laws have been passed for Ireland, hundreds of them, but the lawgivers have been found wanting.

The *Edinburgh Review*, describing in 1822 the military occupation of Ireland at that time, remarked—

“They (the Irish people) hate the English Government from historical recollection, actual suffering, and disappointed hope; and, till they are better treated, they will continue to hate it. At this moment, in a period of the most profound peace, there are twenty-five thousand of the best disciplined and best appointed troops in the world in Ireland, with bayonets fixed, presented arms, and in the attitude of present war: nor is there a man too much—nor would Ireland be tenable without them. . . . When it was necessary last year (or thought necessary) to put down the demand for Reform, we were forced to make a levy of fresh troops in this country—not a man could be spared from Ireland. . . . Ireland, till her wrongs are redressed, and a more liberal policy is adopted towards her, will always be a cause of anxiety and suspicion to this country; and in some moment of our weakness and depression, will forcibly extort what she would now receive with gratitude and exultation.”

APPENDIX XLV

(See Chapter IX, p. 234)

JOHN O'DRISCOL, barrister, resident in the County of Cork, was asked—

“What do you consider to have been the cause of those extensive disturbances that have existed in the County of Cork, and the adjoining counties?—I think there were a great number of causes combined; the immediate cause no doubt was the distress of the people and the want of food.

“Did the state of rents contribute, in your opinion, to lead to a spirit of insurrection?—No doubt of it; rents and tithes, I think, were both in that part of the county extraordinarily high.

“Was there much oppression practised in forcing the payment of those high rents?—Yes, a great deal of oppression.

“Were the claims for tithe very high also?—The tithes were also very high.

“Was the rate of tithe required, at all reduced in proportion to the fall of prices?—I do not think they were reduced at all in proportion to the fall of

prices ; they were reduced, but very slowly and very inadequately to the fall of prices.

"Do the landlords and clergy put in force all the rigours of the law, in endeavouring to enforce payment of those high rents and tithes?—I think they do very generally ; there are a considerable number of middlemen in that part of the country, who are by habit, and perhaps by necessity, severe.

"Was it not utterly impossible for the people to pay the rates of tithe and rent that were claimed from them?—I think the rent and tithe and other charges on the land, made it utterly impossible for the people to pay anything like the demands."

Matthew Singleton, Chief Magistrate of Police in the Queen's County, was asked—

"Are the Committee to understand that you consider that the spirit of outrage has not been got under?—It has not.

"Can you give any hint to the Committee as to what you consider likely to accomplish that desirable object?—I think if the laws were amended in one, two, or three instances which I will suggest, it would lead to the security of the public peace ; there is scarcely an outrage committed relative to lands but what the people assign cause for, if I may use that expression ; in some instances the unfortunate people do show one.

"What are the Committee to understand by showing a cause?—Oppression, high rent, low wages, and contracts being broken."

* * * * *

"Do you give credence to all the oppressions stated?—In many cases I do give credence. I have seen, and I know land to be set one-third above its value ; I have seen, at least I have heard and believe, that small cottagers who had land without a lease, before the assimilation of the currency, are now called upon to pay the same rent in British currency."

APPENDIX XLVI

(See Chapter IX, p. 234)

MR. JUSTICE DAY was asked before the Committee of the House of Lords in 1825—

"Have the actual disturbances in Ireland originated in religious differences, or in what other causes?—The recent disturbances in Ireland have not anything to do with religion.

"In what cause did they originate, in your opinion?—The poverty of the people, which exposes them to the seduction of every felonious or turbulent leader ; the want of employment ; the absence and non-residence of landlords, who might superintend, control and advise ; the want of education, which leaves them in a semi-barbarous state, and incapable of judging for themselves. These are some of the various and combining causes which may be enumerated. The severe and unconscionable rents too often exacted from the peasantry ought not to be forgotten. There was a system (now diminishing, thank God) of sub-infeudation, which prevailed through Ireland, and which, after a succession of sub-lettings, left scarcely anything to the miserable occupying peasant to subsist upon. Every man, in this gradation of evil and unfortunate system, must have a profit, save the occupier, who pays all, is exposed to the distress of all, and starves himself. To this system are owing much of the sufferings of the south of Ireland."

George Cornewall Lewis wrote in 1836 in his *Local Disturbances in Ireland* in this regard—

“That the Whiteboy combinations spring from no religious motive ; that they are not animated by a zeal for the Catholic cause, or intended to bring about catholic ascendancy ; also appears from the manner in which Roman Catholic clergymen have acted towards the Whiteboys and the Whiteboys have acted towards the Roman Catholic clergymen. . . . In Ireland we find that the Catholic priests not only have shown no sympathy with the Whiteboy proceedings, but that they have in many cases taken an active part against them ; and that several of them have been denounced and threatened by Whitehouse on this and other accounts.”

And again—

“Finally it may be remarked, in reference to the supposed influence of religious feelings on the conduct of the Irish Whiteboys, that there appears to be a disposition to attribute insurrections of the peasantry rather to the mistaken religious zeal of the insurgents themselves, than to the real cause, the oppression of their masters or landlords.”

APPENDIX XLVII

(See Chapter IX, p. 237)

SIR GEORGE CORNEWALL LEWIS, discussing the question of crime in Ireland at this time, and showing that it was crime committed in self-preservation, says—

“The preponderance of the exemplary or preventive crimes may be particularly seen in certain districts of Ireland. Thus in Munster, in the year 1833, illegal notices, administering unlawful oaths, assaults connected with combination, attacks on houses, burnings, maiming of cattle, malicious injury to property, and appearing in arms, nearly all of which were of this description, comprehended 627 out of a total of 973 crimes, and even of the others, homicides, etc., many were doubtless committed with the same motive. . . . It is to the state of things which we exhibited in the last chapter, and to the wretched condition of the mass of the Irish peasantry, their inability to obtain employment for hire, and their consequent dependence on land, to the system of combination and self-defence thus engendered, in short, to the prevalence of the Whiteboy spirit, that this peculiar character of Irish crimes is to be attributed. It has already been explained how the Irish peasant, constantly living in extreme poverty, is liable, by the pressure of certain charges, or by ejection from his holding, to be driven to utter destitution—to a state in which himself and family can only rely on a most precarious charity to save them from exposure to the elements, from nakedness, and from starvation. It is natural that the most improvident persons should seek to struggle against such fearful consequences as these, that they should try to use some means of quieting apprehensions which (even if never realized) would themselves be sufficient to embitter the life of the most thoughtless ; and it is to afford this security that the Whiteboy combinations are formed. The Whiteboy Association may be considered as a vast trades union for the protection of the Irish peasantry ; the object being not to regulate the rate of wages or the hours of work, but to keep the actual occupant in possession of his land, and in general to regulate the relation of landlord and tenant for the benefit of the latter. . . . That the main object of the Whiteboy disturbances is to keep the actual tenant in undisturbed possession of his holding, and to cause it to be transferred at his death

to his family, by preventing and punishing ejectment and the taking of land over another's head, is proved by a whole body of testimony. A secondary but not unfrequent object is to regulate the rate of wages by preventing the employment of strangers or by requiring higher payment from the farmers. The Whiteboys of late years have rarely interfered with the collection of tithe, which was at one time their principal object of attack."¹

In 1834 Poulett Scrope, who was member for Stroud, and a man by no means influenced by prejudice or an inflamed imagination, addressed a letter to Melbourne on the relations subsisting between landlord and tenant. The language was appropriate, the truth of his statement incontrovertible, and we commend the criticism to the notice of all readers of Irish history. Among other remarks were the following—

"Though God gave the land of Ireland to the people of Ireland—to the many—the law has given it unconditionally to the few. Even in the best of times, if the landlord refuses to any peasant the holding of a plot of land, if other starving wretches outbid his offers for the patch of soil whose possession is as necessary to his existence as the air he breathes; if sickness or misfortune prevent his punctual payment of the enormous rent he has promised, and he and his family are ejected (by the cheap and summary process which landlord-made law provides) from his cabin which sheltered him from his birth, and his father's before him, what remain? He must die! The law, at least, says so. The law allows him no other alternative. He may contrive to prolong a precarious existence on the charity of his poor neighbours (as he asks it in vain from the rich), or he may take by force or stealth what is necessary to preserve life. But the law does not recognize these means of living; on the contrary, the law forbids them. The law says, if he cannot rent land or obtain work he shall starve. This is the real wrong—this is the giant grievance—this is the most crying, the most urgent of the just complaints of the Irish people. And it is against this state of the law that they combine in their Whiteboy associations—associations that will never be put down until the law extends that protection to the lives of the poor which it now lavishes almost exclusively on the property of the rich. And who will say that the peasantry ought not in such a state of the law to combine for their mutual protection? Is there no point of oppression at which resistance to the law becomes a duty? We have the recent authority of the head of the law (Plunket) for the principle—a principle as old as it is true, that allegiance is only due where protection is afforded, and where the law refuses its protection it cannot claim allegiance. Does the law then protect the Irish peasant? Not from starvation. It does not protect him from being thrust out of his home and little holding into absolute destitution, to perish on the highways of famine, or waste away in those abodes of filth, misery and disease, in the suburbs of the towns which Dr. Doyle so faithfully describes as the ordinary refuge and dying-place of the ejected cottier and his family. It does not prevent him from being visited by this fate at the command of an absentee landlord, who may desire to clear his property of some of the human encumbrances whom God has

¹ In another place Cornewall Lewis writes—

"The following statements are important, as showing that although on some occasions the Whiteboy associations have been directed against tithe, they nevertheless are in general confined to land and the hiring of labourers; and in particular that the great and organized resistance to tithe in 1831 and 1832 was altogether independent of those combinations."

Cornewall Lewis (1806–1863) was the eldest son of Sir Thomas Frankland Lewis. In 1848 he became Under-Secretary for the Home Department, and in 1850 Financial Secretary to the Treasury. He then succeeded Gladstone as Chancellor of the Exchequer in Palmerston's first administration. On the formation of Lord Palmerston's second administration in 1859 he became Home Secretary, and on the resignation of Sidney Herbert in 1861 was appointed Secretary for War much against his will.

brought into being upon it. The law affords the Irish peasant no protection from so horrible a fate. Hundreds are at present exposed to it. Millions know that they are liable to it. Can the law justly require their allegiance? Can we expect them willingly to pay it? No! The peasantry of Ireland feel that the law places their lives at the mercy of the few, whom it invests with sovereign power over the land of their native country, with power to sweep them at will off its surface. They feel that the continuance of the system of clearing estates which has been for so many years in progress, is a question of life and death to them. And therefore do they combine against it. Therefore it is—however little minds may wonder at the fact—that they show no more repugnance to the shedding of blood in open day, in the presence of assenting thousands, in the execution of the sentences of self-organized tribunals, looked upon by them as the sole safeguard of their lives, than does a soldier hired to fight for his country's safety in the field of battle. It is to their own Whiteboy law that their allegiance is considered due. They look alone to the secret tribunals, to their own establishment, for the protection which the law of the Imperial Parliament denies them. And they obtain it! Let those who know Ireland deny the fact if they can. The peasantry of Ireland do more or less obtain from the Whiteboy associations that essential protection to their existence which the established law of the country refuses to afford. The Whiteboy system is the practical and sufficient check upon the ejectment system. It cannot be denied that but for the salutary terror inspired by the Whiteboys the clearance of estates (which in the over-peopled districts of Ireland is considered, justly or not, to be the only mode of improving or even saving them) would proceed with a rapidity and to an extent that must occasion the most horrible sufferings to hundreds of thousands of the ejected tenantry. Some landlords have bowels of compassion, and might hesitate so to employ the fearful power with which the law has unconditionally armed them for the improvement of their property. Many, the majority perhaps, would not be stayed by such scruples. It is easy to satisfy the minds of an interested party that what the law allows to be done cannot be wrong—that what appears necessary for the preservation of property must be right. May they not do as they will with their own? Yes! But for the salutary dread of the Whiteboy associations, ejectments would desolate Ireland and decimate her population, casting forth thousands of families like noxious weeds rooted out of the soil on which they have hitherto grown, perhaps too luxuriantly, and flung away to perish in the roadside ditches. Yes; the Whiteboy system is the only check on the ejectment system; and weighing one against the other, horror against horror, and crime against crime, it is perhaps the lesser evil of the two—a necessary evil in the present state of the law of Ireland—a mitigation of the otherwise intolerable slavery, which the law of the land enforces, of the Irish peasant to the Irish landlord. The Whiteboy system will never be put down until the Legislature establish a law for the end it aims at—that, namely, of protecting the lives of the Irish peasantry, and securing to them the means of living by their industry.”

Ten years later, the condition of Irish affairs was even worse, and this letter was reprinted and addressed to Sir Robert Peel.

APPENDIX XLVIIA

(See Chapter IX, p. 238)

MAJOR WILLCOCKS, in his evidence before a Committee of the House of Commons in 1824, was asked—

“Will you explain what you mean by faction-fighting?—It very often

arises in this sort of way, that at a fair, or at any public meeting, some of the peasantry get intoxicated, a quarrel ensues as I suppose between two individuals ; one party prepares his friends and his faction to meet the other party, or some of them, at the next convenient place of public meeting, at a fair or market, and there they who have a strong faction attack this party, and beat and ill-treat them, and in some instances lives have been lost ; that faction increases, the other party then recruits for the next place, and, at last, it becomes a most serious matter ; almost the whole of the peasantry in a fair I have seen engaged in fights in this kind of way."

The factions in the northern part of the county of Tipperary at the end of 1834 frequenting fairs and markets to fight were—

Barony of Owney and Arra. Ruskavalles (Ryans) and Caffees ; Dingens and Dawsons.

Upper Ormond, in the vicinity of Menagh. Bootashees, Bog-boys and the Tubbens.

Toomavara, five miles from Menagh. Cumminses and Darrigs.

Lower Ormond, from Burrisakane to the Shannon and Brusna River. There were no particular designations for rioters in this district, but the parishioners of Kilbarron were the most celebrated for their turbulent disposition.

APPENDIX XLVII^B

(See Chapter IX, p. 238)

THE magistrates, the pillars of the law, even took advantage of the factions to fill their own pockets, accepting bribes in return for their support of these illegal combinations. It was not likely that respect for the law and confidence in the integrity of its ministers would, like a lamp, illumine the dark night of Irish misery. As Cornewall Lewis wrote—

"The policy which led the magistrates formerly to countenance faction-fighting was not only unprincipled, but also shortsighted ; it is clear that this practice trains up a set of lawless and violent persons, accustomed to deeds of bloodshed, and priding themselves on their acts of brutal ferocity. Such men as these would only want the opportunity afforded by a season of disturbance to signalize themselves in more organized violence, and to be the leaders or actors in every outrage which the Whiteboy spirit might suggest." (*Local Disturbances in Ireland.*)

APPENDIX XLVII^C

(See Chapter IX, p. 240)

THE same year the hulks at Cork and Dublin were abolished, the reason for their abolition being given by Drummond in his evidence before the Roden Committee in 1839—

"The nature of the convict service in Ireland came under the Lord-Lieutenant's observation, I think, some time in the year 1836. It appeared to him that it was a very injurious system to keep prisoners confined for a length of time on board the hulks, which formed a most imperfect prison, and did not admit of that attention to classification which a prison on shore allows ; and, finding upon inquiry that it would be quite practicable to carry the sentence of transportation into immediate effect in almost every instance, he thought it would be very desirable to abolish the hulks altogether. This was carried into effect after considerable trouble. . . . The prisoners are now conveyed directly on board the transport vessels ; by which, in addition to other beneficial details, a saving of about £8,000 a year has been effected."

APPENDIX XLVIII

(See Chapter IX, p. 244)

MISS MARTINEAU wrote in her *Thirty Years' Peace*—

"The very words fired the passions of the landlords—before jealous, and now panic-stricken. At a meeting which they held, in the name of the magistrates of King's County at Tullamore, to consider the circumstances of this murder and of the country, they reverted to those few words of Mr. Drummond's which their vehement wrath at once raised into a proverb. . . . In their fear and grief at the murder of Lord Norbury, possibly through some discontent among his tenantry, though he was a kind landlord, the King's County magistrates reverted to Mr. Drummond's proposition, as a subject on which to vent their passion; and it shows how wild and desperate must have been their wrath that they could fall out with a proposition so simply indisputable. It was declared that in that letter, the Tipperary magistrates were 'bearded and insulted' by Mr. Drummond. A resolution was carried without a division, 'that it appears to this meeting that the answer conveyed to the magistrates of Tipperary from Mr. Under-Secretary Drummond has had the unfortunate effect of increasing the animosities entertained against the owners of the soil by the occupants, who now constitute themselves the sole arbiters of the rights as well as of the duties of property.' Lord Charleville ventured to declare, in moving this resolution, that the saying about property having duties as well as rights, though innocent enough in itself, was felt to be little less than a deliberate and unfeeling insult in the circumstances under which it was offered. When the plainest truths of morals are felt to be personal insults, all men see how the matter stands; and all men know that those plain truths are then made vital. And so it was in this case. The Tory landlords of Ireland have never forgotten that property has its duties as well as its rights. But the annunciation of this truth was fatal to all perception on their part of the impartiality of Government rule."

"How I envy you," wrote the poet Moore to Drummond, "that pregnant sentence about duties and rights, *terribile belli causa*, or as I would suggest reading, *tetorymi!*"

APPENDIX XLIX

(See Chapter IX, p. 246)

A LARGE portion of the Report was written by Thomas Drummond himself, and one or two of the passages which touched upon the condition of the land question are worthy of quotation. The Report observed (a small portion of the following extract has already been quoted)—

"Ireland, though for years past a subject of anxious attention and discussion in public, is really very little known to the British people; and the disadvantage to both countries arising from that circumstance is much greater than is generally supposed. . . . The present social aspect and condition of Ireland is an anomaly in itself. Whilst the country is making a visible and steady progress in improvement, and signs of increasing wealth present themselves on all sides, the labouring population, constituting a large majority of the community, derive no proportionate benefit from the growing prosperity around them. In many places their condition is worse than it has been. This apparent incongruity is, however, easily understood and explained by a reference to the peculiar state of property, and to the complex relations

which subsist between the proprietors and the several parties deriving interests under them, from the immediate tenant down to the actual occupier of the soil. . . . The proprietors of estates claim public support in their endeavours to bring the country to a sound and secure condition by opposing and counteracting the further progress of so ruinous a system ; and if they would proceed in all cases with discretion, and a just consideration of those whose interests are as nearly concerned as their own, they are entitled to it. Of course, we do not palliate the injustice and cruelty of turning families adrift helpless and unprotected upon the world. There is a compact, implied at least, between the landlord and the peasantry who have been brought up on his estate, by which the latter have as good a right to protection as the lord of the soil has to make arbitrary dispositions for the future management of his property. Nor do we think that it makes much difference as to the force of this obligation, whether the injurious subdivision of lands was made by the direct sanction and for the immediate benefit of the tenant in fee, or by others to whom the power of a landlord over the property had been delegated by lease. It is not denied that those subdivisions were lawful at the time they were made. They were a part of the system then recognized, and in operation for the management of property ; for their effects, therefore, upon the general welfare and security, the property itself is justly to be held accountable. Nor is this responsibility to be shuffled aside, or laid at the door of persons who, having ceased to possess an interest in the lands, are no longer in a state to repair the error that has been committed ; but the country will look to those who now hold the property, having received it charged with all its moral as well as its legal engagements. . . . But the spirit of the Irish peasant is by no means so sunk by the adverse circumstances of his lot as to be insensible to the stimulus which a due measure of encouragement to laborious industry supplies. Where employment is to be obtained without difficulty, and at a fair rate of compensation, his character and habits rise in an incredibly short space of time with the alteration of his circumstances. In a state of destitution no race of people are more patient and resigned. Their uncomplaining endurance seems almost to border on despondency. They make no effort to help themselves, probably because they despair of being able to do so effectually ; and it ought to be mentioned to their honour, that in such emergencies they have scarcely ever been known to extort by violence that relief which cannot be obtained from their own lawful exertions, or the benevolence of others. Their fortitude during the unparalleled sufferings of 1822 was regarded with the greatest admiration and respect—feelings which have not failed to be renewed by their conduct on every subsequent trial of a similar kind. Within the last two years, namely, in the summer of 1836, a populous district on the coast of Donegal was exposed to all the miseries of famine, rendered tenfold more agonizing by the knowledge that there was food enough and to spare within a few miles, yet the poor people bore their hard lot with exemplary patience, and throughout the entire period, though numbers were actually without food, and reduced to eat seaweed, there was no plundering of stores, no theft, nor secret pillage. Such forbearance, almost approaching to insensibility, might be deemed to belong to a character incapable of being roused to exertion in any circumstances, yet the same race, who endure the last extremes of want without a murmur, are no sooner placed in a condition of supporting themselves by independent industry than they cast aside the torpor which distinguishes them in a depressed state, and become active, diligent, and laborious. The unsparing exertions and obliging disposition of the poor, half-starved harvestmen who periodically visit the West of England are well known, and will, we are sure, be cheerfully acknowledged by all who have had occasion to employ them."

APPENDIX XLIXA

(See Chapter IX, p. 249)

THUS under the head of riots, as Drummond stated before the Committee, were included—

“All those offenders who are arrested at fairs, markets, etc., for disturbing the public peace, and as those arrests are now made with a vigour unknown in former periods, every fair and market being latterly attended by the police in force, whereas, formerly, the police were either withdrawn from fairs and markets, or did not take the active part they now do in arresting offenders, it is manifest, looking to the great number of fairs in Ireland, that the number of offenders of this class committed to prison must be greatly increased. If it were not, the fact would show that the police had not acted up to the orders they had received.

“The fact which has thus been shown of a decrease in the aggravated crimes, and an increase in the minor offences, is illustrated very strikingly by what has happened in Dublin since the establishment of the new police. Burglary has diminished from 54 to 38; combination assaults (the worst description of assaults), from 95 to 8; horse and cattle stealing, from 31 to 15; infants exposing, etc., from 38 to 26; murder and homicide, from 16 to 5. There was not, I think, one case of murder, but the two denominations of crimes are thus classed together in the returns. The homicides generally rose from frays between hostile parties. Riot has decreased from 95 to 29; highway robbery, from 16 to 9. An increase, on the other hand, appears in larceny, from 5,710 to 6,101; misdemeanours and trespass, from 2,408 to 3,666; the number of persons taken up for disturbing the peace, from 4,986 to 9,720. The increase in these minor offences is directly ascribable to the vigilance of the police.”

APPENDIX XLIXB

(See Chapter IX, p. 250)

THE *Times* wrote on December 6, 1842—

“With feelings of unmingled pain we have witnessed the reappearance of that frightful system of murder and outrage which has so long infested the South of Ireland, and in particular the unhappy county of Tipperary. . . . The evil has arisen in the general system upon which the occupation of land has been based and conducted, and in the treatment of the occupier by the landlord. . . . In our paper of yesterday alone we published intelligence respecting no less than eight cases of outrage, three of which were most cruel and revengeful murders, committed and achieved in cold blood; and three more attempts, only frustrated by some unforeseen chances, to commit the crime; and all the miserable enormities took place within the limits of a single county, and almost within the compass of a single week. Religious variance is no account of these crimes, for two of the unfortunate persons thus assassinated, Mr. Mortimer and Mr. Scully, were Roman Catholics. Nor does it result from any hostility to any particular class or rank; for although Mr. Scully was a man of birth and fortune, yet agents, yeomen, and even labourers, appear indiscriminately the victims of this fearful organization.

“There is, however, one feature common to all of these unhappy cases, viz. that the victim, or intended victim, had been either the original mover, or the obnoxious promoter of some vexatious distress or ejectment. Mr. Mortimer, it seems, had brought an action against two persons of the name

of Daubey. They had held land from him in Ballylarkin. *They had paid up their rents to the very day*; but it was alleged they had violated the conditions of their lease by cultivating a portion of the farm in a different mode from that agreed upon. And upon this *penal* covenant an action was brought by Mortimer. They paid the costs, and had agreed to give him possession on the following day in consideration of his abandoning proceedings; but he did not live to receive it. On the same night he was murdered; and so in other cases. But we cannot dismiss this without more particularly calling attention to its peculiar features.

"This was not the ordinary (we are sorry to believe the too ordinary) case of the farming-out an estate by an absentee landlord to a middleman, who, with no sort of interest either in the prosperity of the estate or in the well-being of the tenantry, beyond the security of his own receipts, pays himself by racking the tenantry to the utmost value of their holdings. This, we say, was not the case. It was one of a different kind, but, perhaps, not greatly inferior in prudence or humanity. Where his rent is unpaid, a landlord who looks upon his land as a trader looks upon his capital, is not likely to depart from the rigid strictness of that contract to which his unhappy tenant has, as well as himself, been a voluntary party. But where the rent has been accurately paid up to the very day, the advantage is taken of one of the penal covenants which abound in every lease, and in which it is no difficult matter to suggest a breach at any given time, to proceed, on such grounds, to the *ultima ratio* of an ejectment, is certainly as harsh an exercise of the full power which the law necessarily entrusts to the landlord as can well be conceived.

"In any case, a landlord is not a tradesman; he stands to his own tenantry, or he ought to do so, *in loco parentis*; he is there as well for their good as his own; they are not mere contractors with him, to hold his land as capital, and pay him the full interest, or incur a forfeiture; they are rather agents placed in his hands, and under his care and protection, for the purpose of working the land, and whose *natural* relation with him cannot be determined except by negligence or ill-conduct.

"If the land be treated as money, and tenantry as borrowers, people may be sure that the landlord will be an usurer. This is *generally* true; but in Ireland the tenant who is thus treated as though he had been an unfettered party to the original agreement, has not the shadow of the character of a voluntary contractor. It is with him either to continue in the quarter of an acre which he occupies or to starve. There is no other alternative. Rack-rent may be misery, but ejectment is ruin.

"Another small allotment is no easy matter to procure, and other employment for him there is none. And yet in this state of things estates are farmed out to middlemen, and ejectments are then brought because the unhappy tenant is behind with his rent, or, what is still worse, upon some trivial breach of covenant, merely because possession would be convenient to the party seeking it. What has been the result? Conspiracy, hatred, revenge, and murder—most cold-blooded, most brutal murder."

APPENDIX L

(See Chapter IX, p. 250)

LORD PALMERSTON during the course of the debate, speaking of the vicious agrarian system, said, on the 23rd of June—

"It is vain to deny that in the last twenty years the people of Ireland have much to complain of in respect (to the relation of landlord and tenant). It is well known that in former times large farms—great tracts of land—were

let upon leases of sixty-one years, or of three lives to one individual, who in turn re-let the same land in smaller portions to others, who re-let to a third set, who again re-let to a fourth, and so on; and thus in the course of years the land became covered by multitudes of occupants, greater than was essential to the good cultivation of the soil, or greater than could obtain any insight into the science of agriculture. This was a class which was greatly increased and augmented when the forty-shilling freeholders were in existence, but at last the landlords, feeling the inconvenience of the system, and not sufficiently reflecting on the injustice which they were inflicting on others—and as I maintain upon themselves—when they found the leases of this sort expiring, and found on their land great numbers of people, born and bred there, who were exercising their industry in the narrow limits of some two or three acres of land, turned out wholesale hundreds of families, retaining only that number which, in their theoretical and abstract imaginations, might be sufficient for the advantageous cultivation of the soil. This might be done in England without causing the same degree of suffering and misery. If they removed any portion of the population of England from its position, they would go to Manchester or Birmingham, or some of the great manufacturing districts of the kingdom, and they might at once find profitable occupations in our manufactories. In Ireland there were no manufacturing towns. The people when turned out of their homes—without the chance of obtaining a bone—were driven to perish on the roadside, or to eke out a lingering existence as squatters on the fringe of a bog, or in the outskirts of some neighbouring town. This is a great grievance. Cases have occurred where landlords have done this to a great extent, and have deliberately ejected good and sufficient and substantial tenants in order to give their lands to Protestants, greatly misjudging the nature of the Irish people in thinking that it is necessary to have an identity of religion, in order to establish that firm sense of regard and affection which is so desirable to be maintained between landlord and tenant. On what grounds were these steps taken? It was said that the people eat the produce of Ireland, and that the landlord could not obtain a fair rent for the land. I deny both these propositions, and I maintain that the people by the close application of their labours to small portions of land, obtained a greater amount of subsistence from the earth than the best farmers could by the application of any system of agriculture. But even if it was true that the landlord sustained some pecuniary loss, he would be amply repaid for the diminution of his profits by the cordial welcome with which he would be greeted on visiting those estates on which he had allowed the poorer tenants to remain. It is further said that these persons in reality were not the tenants of Ireland, that the tenants were the persons whose leases had expired, and that the landlord had a right to expel these persons, although bred and born on the land, because they possessed no right of tenantry. I hope that the landlords will abstain from exercising that power which the law gives them, and that by showing a little more consideration to the peasantry whom they find on their estates, they will seek to do away with that grievance which is expressed in the somewhat absurd term ‘fixity of tenure.’”

But the absentees were safe in London, and what did they care for the misery of the Irish peasant? They perhaps thought that the real truth would not spread so very far. But the history of Ireland had not been fashioned within closed doors. Her torments were not hid under a bushel. The celebrated German historian Frederick Lewis George von Raumer, describing the Irish system of “tenant-at-will,” after having made a tour in Ireland, wrote—

“How shall I translate *tenants-at-will*? *Wegjagbare*? Expellable? Serfs? But in the ancient days of vassalage it consisted rather in keeping the vassals attached to the soil, and by no means driving them away. An ancient vassal is a lord compared with the present tenant-at-will, to whom

the law affords no defence. Why not call them *Jagbare* (*chaseable*)? But this difference lessens the analogy—that for hares, stags, and deer, there is a season during which no one is allowed to hunt them—whereas tenants-at-will are hunted all the year round. And if any one would defend his farm (as badgers and foxes are allowed to do), it is here denominated rebellion.”

APPENDIX LI

(See Chapter IX, p. 253)

DURING the debate on the Crimes Bill, Poulett Scrope said—

“Her Majesty’s Government say that the purpose of the measure is to put down criminal outrages, and to protect life in Ireland. Now, Sir, these are objects which we on this side of the House have as much at heart as any member of the Government, and we will go any lengths really to effect them. But in order to put a stop to the system of outrage prevalent in Ireland, surely it is necessary to understand, and to direct your remedies to its cause; to attack the root of the disease, not its symptoms merely. The noble lord (Lord Lincoln) said the other night, ‘The whole body corporate of society is diseased—every relation of life is diseased.’ True, most true; but what is the disease? The outrages are not the disease, they are the symptoms only. What then is the disease itself, and what are its causes? No one, I imagine, supposes these crimes to be committed out of a mere wanton spirit of evil. No one now attributes them to political agitation, or sectarian or religious animosities. Their real cause and character no one can now plead ignorance of, after the proofs that have been laid on the table of the House by the evidence taken by successive Committees and Commissioners.

“I have myself proved it to you long since. I will tell you once more, and I defy any man acquainted with the evidence to contradict me. The disease that affects the Irish peasantry and causes them to commit or sanction those shocking outrages which swell your constabulary reports, is a deadly struggle among the people for life, and the means of living. It is a war for dear life that rages more or less secretly and silently, but not the less fearfully, in almost every corner of the land. . . . Do you deny that the peasantry of Ireland are fighting for existence in maintaining this system of outrage? Why, are they not, on the evidence of your own Commissioners’ reports, two million of people and upwards on the verge of starvation? It is to avoid this, or a worse fall, that the farmers and labourers commit or sanction these crimes. Your object, you say, is to protect life.

“Oh, we will join you heartily in this, if you set about it in the right way. But, remember, life is destroyed in Ireland in other ways than by the bullet of the assassin. Life is taken in Ireland by the slow agonies of want and disease engendered by want, when human beings are deprived (however legally) of that only means of living, and no resource afforded them in its place. When a landlord clears his estate by driving from their homes hundreds of poor tenants, who have no other possible source of refuge, does he not as effectually destroy their lives (at least many of them) as if he shot them at once? It would be a mercy to do so in comparison. Do you deny that the lives of the peasantry are unprotected by law, that they are obliged to protect themselves by these criminal outrages? I ask you if, since these very discussions began, we have not had proofs, multiplied proofs, of the mode in which the landlords of Ireland are decimating the people of Ireland? Ay,

in the midst of fever and famine, was not a whole village razed by the Marquis of Waterford? Another, I believe, by Mr. Clark of Nenagh, who was murdered; another by Mr. Pierce Carrick, who was murdered for the same intention. All these and numerous other facts of the kind are going on at this moment. Even in this morning's paper, I see a fresh announcement of a clearance of one hundred and eighty individuals. As leases drop in, landlords considered themselves justified in consolidating their estates, and ejecting the numerous families of tenantry who have occupied under the old leases. Now, I ask, what becomes of those ejected wretches, whose houses are pulled down, who are driven forth from the land where they were born and bred, hunted even out of the roadside ditches when they take shelter there, as was literally the case in the Gerrard clearances? Where are they to go? How are they to live? They are trespassers everywhere, even on the high-road. No one wants them, no one employs or shelters them.

"If they squat on another landlord's estate, they are driven out again as nuisances—pests—as people, in one word, who have no right to exist. True, they have none in law; but I much doubt whether in the sight of God, their right to existence, and the means of existence, be not as strong and holy as that of any peer or prince of the realm.

"I ask, what becomes of them? Why, we know on the best authority (Dr. Doyle). They wander to the towns and try to live by beggary; but they do not live long. . . . Is not an ejection, then, of this kind tantamount to a sentence of death on a small farmer or cottier, whose only chance of living and maintaining his family is the occupation of a bit of land?

"And can you wonder at his retaliating on him whom he feels to be his oppressor? Or can you wonder that thousands, who know themselves to be exposed to this fall every day, combine to save themselves from it by a system of outrage and intimidation?"

APPENDIX LII

(See Chapter IX, p. 259)

LORD DEVON observed in the digest of evidence—

"The whole of that vast mass of evidence taken by the Commissioners in reference to the mutual relations existing between the proprietors and occupiers of land in Ireland, is at once conclusive, painfully interesting, and most portentous in its character. It proves that the safety of the country, and the respective interests of both these classes, call loudly for a cautious but immediate adjustment of the grave questions at issue between them. In every district of the country we find that a widely-spread and daily increasing confusion as to the respective rights and claims of these classes exists; and it is impossible to reject the conviction that, unless they be distinctly defined and respected, much social disorder and national inconvenience must inevitably be the consequence.

"It is difficult to deny that the effect of this system is a practical assumption by the tenant of joint proprietorship in the land; although those landlords who acquiesce in it do not acknowledge to themselves this broad fact, and that the tendency is gradually to convert the proprietor into a mere rent-charger, having an indefinite and declining annuity. In the north, where it is permitted, agrarian crimes are rare. In other places, where it is resisted, they are of common occurrence.

"The landlords do not appear aware of the peril which thus threatens their property, and which must increase every day, that they defer to establish the

rights of the tenants on a definite and equitable footing. They do not perceive that the present tenant-right of Ulster is in fact an embryo copyhold. . . . They do not perceive that the disorganized state of Tipperary and the agrarian combination throughout Ulster, are but the methodized war to obtain the Ulster tenant-right, or that any established practice not only may, but must, erect itself finally into law, and anybody who will take the pains to analyze this growing practice will soon perceive how inevitable that consequence must be in the present case, unless the practice itself be superseded by a substitute that shall put the whole question on a sound, equitable, and invigorating basis."

APPENDIX LIIA

(See Chapter IX, p. 260)

RUSSELL, referring in the House of Commons in 1846 to the report of the Devon Commission, said—

"However ignorant many of us may be of the state of Ireland, we have here the best evidence that can be procured, the evidence of persons best acquainted with that country, of magistrates for many years, of farmers, of those who have been employed by the Crown; and all tell you that the possession of land is that which makes the difference between existing and starving amongst the peasantry, and that therefore ejections out of their holdings are the cause of violence and crime in Ireland."

APPENDIX LII_B

(See Chapter IX, p. 264)

GERALD FITZGIBBON in his *Ireland in 1868* wrote—

"There was cruel injustice in turning a destructive visitation of Providence into an advantage to them (the incumbancers) which they could not have had if the law had been left as it stood when they made their contracts and took their securities, and as it still stands in England."

That which John Stuart Mill afterwards stigmatized as robbery had thus occurred. He wrote—

"The Legislature, which if it pleased might convert the whole body of landlords into fundowners or pensioners, might *a fortiori* commute the average receipts of Irish landowners into a fixed rent-charge, and raise the tenants into proprietors, supposing always (without which these acts would be nothing better than robbery) that the full market value of the land was tendered to the landlords in case they preferred that to accepting the conditions proposed." See Mill's first volume of *Political Economy* and his *England and Ireland* on the subject.

APPENDIX LII_C

(See Chapter IX, p. 265)

ISAAC BUTT said of it—

"In many of its provisions, that Act entirely disregarded vested rights. It set aside the most solemn contracts. It compelled creditors to submit to a sale who had an express contract that no one should ever disturb them in their claim on the land except by paying off that claim. It forced properties

to a general auction, to be sold for whatever they could bring, at a time when legislation had imposed new and unheard-of burdens upon landed property. At a time of unprecedented depreciation of the value of land, it called a general auction of Irish estates. I have always believed, I still believe, that English history records no more violent legal interference with vested interests than the provisions by which this statute forced the sale of a large proportion of the landed property of Ireland, at a time when no prudent man would have set up an acre to be sold by public competition. It exterminated, no doubt, many insolvent proprietors, but it ruined many solvent ones, and in the process it beggared many, both proprietors and creditors, who but for its operation would now be independent, in the possession of the properties of which it deprived them."

APPENDIX LIID

(See Chapter X, p. 270)

THE Land Occupation Commissioners also remarked in their report of the same year—

"In adverting to the condition of the different classes of occupiers in Ireland, we perceive with deep regret the state of the cottiers and labourers in most parts of the country from want of certain employment. It would be impossible to describe adequately the privations which they and their families almost habitually and patiently endure. It will be seen in the evidence that in many districts their only food is the potato, their only beverage water; that their cabins are seldom a protection against the weather; that a bed or a blanket is a rare luxury; and that nearly in all, their pig and their manure heap constitute their only property."

APPENDIX LIIE

(See Chapter X, p. 272)

WILLIAM EDWARD FOSTER wrote in 1847—

"When we entered a village, our first question was, how many deaths? 'The hunger is upon us' was everywhere the cry, and involuntarily we found ourselves regarding this hunger as we should an epidemic; looking upon starvation as a disease. In fact, as we went along, our wonder was not that the people died, but that they lived; and I have no doubt whatever that in any other country the mortality would have been far greater; that many lives have been prolonged, perhaps saved, by the long apprenticeship to want in which the Irish peasant has been trained, and by that lovely, touching charity which prompts him to share his scanty meal with his starving neighbour. . . ."

APPENDIX LIIE

(See Chapter X, p. 273)

THOMAS CARLYLE wrote in *Chartism*—

"Ireland has near seven millions of working people, the third unit of whom, it appears by statistic science, has not for thirty weeks each year as

many third-rate potatoes as will suffice him. It is a fact perhaps the most eloquent that was ever written down in any language at any date of the world's history. Was change and reformation needed in Ireland? Has Ireland been governed and guided in a 'wise and loving' manner? A government and guidance of white European men which has issued in perennial hunger of potatoes to the third man extant,—ought to drop a veil over its face, and walk out of court under conduct of proper officers; saying no word; expecting now of a surety sentence either to change or die. All men, we must repeat, were made by God, and have immortal souls in them. The sanspotato is of the selfsame stuff as the superfinest Lord-Lieutenant. Not an individual sanspotato human scarecrow but had a life given him out of Heaven, with eternities depending on it; for once, and no second time; with immensities in him, over him and round him; with feelings which a Shakespeare's speech would not utter; with desires illimitable as the Autocrat's of all the Russias! Him various thrice-honoured persons, things and institutions have long been teaching, long been guiding, governing: and it is to perpetual scarcity of third-rate potatoes, and to what depends thereon, that he has been taught and guided. Figure thyself, O high-minded, clear-headed, clean-burnished reader, clapt by enchantment into the torn coat and waste hunger-lair of that same root-devouring brother man!"

As there may be a reader here or there interested in a description of the potato fungus, the author ventures to give a quotation from Professor Huxley's essay, *Animals and Plants*—

"... There is a Fungus, an obscure and almost microscopic mould, termed *Peronospora infestans*. Like many other fungi, the *Peronosporae* are parasitic upon other plants; and this particular *Peronospora* happens to have attained much notoriety and political importance, in a way not without a parallel in the career of notorious politicians, namely, by reason of the frightful mischief it has done to mankind. For it is this *Fungus* which is the cause of the potato disease; and, therefore, *Peronospora infestans* (doubtless of exclusively Saxon origin, though not accurately known to be so) brought about the Irish famine. The plants afflicted by the malady are found to be affected by a mould, consisting of fine tubular filaments termed *hyphae*, which burrow through the substance of the potato plant, and appropriate to themselves the substance of their host; while, at the same time, directly or indirectly, they set up chemical changes by which even its woody framework becomes blackened, sodden, and withered.

"In structure, however, the *Peronospora* is as much a mould as the common *Penicillium*; and just as the *Penicillium* multiplies by the breaking up of its hyphae into separate bodies, the spores; so, in the *Peronospora*, certain of the hyphae grow out into the air through the interstices of the superficial cells of the potato plant, and develop spores. Each of these hyphae usually gives off several branches. The ends of the branches dilate and become closed sacs, which eventually drop off as spores. The spores falling on some part of the same potato plant, or carried by the wind to another, may at once germinate, throwing out tubular prolongations which become hyphae, and burrow into the substance of the plant attacked. But, more commonly, the contents of the spore divide into six or eight separate portions. The coat of the spore gives way, and each portion then emerges as an independent organism, which has the shape of a bean, rather narrower at one end than the other, convex on one side, and depressed or concave on the opposite. From the depression, two long and delicate cilia proceed, one shorter than the other and directed forwards. Close to the origin of these cilia in the substance of the body, is a regularly pulsating, contractile vacuole. The shorter cilium vibrates actively and effects the locomotion of the organism, while the other trails behind; the whole body rolling on its axis with its pointed end forward.

"The eminent botanist, De Bary, who was not thinking of our problem, tells us, in describing the movements of these 'Zoospores,' that, as they swim about, 'Foreign bodies are carefully avoided, and the whole movement has a deceptive likeness to the voluntary changes of place which are observed in microscopic animals.'

"After swarming about in this way in the moisture on the surface of a leaf, or stem (which, film though it may be, is an ocean to such a fish) for half-an-hour, more or less, the movement of the zoospore becomes slower, and is limited to a slow turning upon its axis, without change of place. It then becomes quite quiet, the cilia disappear, it assumes spherical form, and surrounds itself with a distinct, though delicate, membranous coat. A protuberance then grows out from one side of the sphere, and rapidly increasing in length, assumes the character of a hypha. The latter penetrates into the substance of the potato plant, either by entering a stomate, or by boring through the wall of an epidermic cell, and ramifies, as a mycelium, in the substance of the plant, destroying the tissues with which it comes in contact. As these processes of multiplication take place very rapidly, millions of spores are soon set free from a single infested plant; and, from their minuteness, they are readily transported by the gentlest breeze. Since, again, the zoospores set free from each spore, in virtue of their powers of locomotion, swiftly disperse themselves over the surface, it is no wonder that the infection, once started, soon spreads from field to field, and extends its ravages over a whole country.

"However, it does not enter into my present plan to treat of the potato disease, instructively as its history bears upon that of other epidemics; and I have selected the case of the *Peronospora* simply because it affords an example of an organism, which, in one stage of its existence, is truly a 'Monad,' indistinguishable by any important character from our *Heteromita*, and extraordinarily like it in some respects. And yet this 'Monad' can be traced step by step, through the series of metamorphoses which I have described, until it assumes the features of an organism, which is as much a plant as is an oak or an elm.

"Moreover, it would be possible to pursue the analogy farther. Under certain circumstances, a process of conjugation takes place in the *Peronospora*. Two separate portions of its protoplasm become fixed together, surround themselves with a thick coat, and give rise to a sort of vegetable egg called an *oospore*. After a period of rest, the contents of the oospore break up into a number of zoospores like those already described, each of which, after a period of activity, germinates in the ordinary way. This process obviously corresponds with the conjugation and subsequent setting free of germs in the *Heteromita*."

APPENDIX LIIIA

(See Chapter X, p. 277)

WHEN de Vere had collected sufficient evidence he wrote a letter to the Colonial Office which was adopted as a public document, and published. In it he described how he had seen—

"hundreds of poor people—men, women, and children of all ages, from the drivelling idiot of ninety to the babe just born—huddled together without light, without air, wallowing in filth, and breathing a fetid atmosphere, sick in body, dispirited in heart; the fevered patients lying between the sound, in

sleeping-places so narrow as almost to deny them the power of indulging by a change of position the natural restlessness of the disease ; by their agonized ravings disturbing those around, and predisposing them through the effects of the imagination to imbibe the contagion ; living without food or medicine, except as administered by the hand of casual charity ; dying without the voice of spiritual consolation, and buried in the deep without the rites of the Church. The food is generally ill-selected, and seldom sufficiently cooked in consequence of the insufficiency and bad construction of the cooking-places. The supply of water, hardly enough for cooking and drinking, does not allow washing. In many ships, the filthy beds, teeming with all abominations, are never required to be brought on deck and aired ; the narrow space between the sleeping berths and the piles of boxes is never washed or scraped, but breathes up a damp and fetid stench, until the day before arrival at quarantine, when all hands are required to scrub up and put on a fair face for the Government inspector and the doctor. No moral restraint is attempted ; the voice of prayer is never heard ; and drunkenness, with its consequent train of ruffianly debasement, is not discouraged, because it is profitable to the captain, who traffics in the grog."

APPENDIX LIIIB

(See Chapter X, p. 284)

LALOR'S letters to the *Irish Felon* are interesting as showing the tactics of the Irish Revolutionary party in regard to the land question. On June 21, 1848, he wrote—

"The land question contains, and the legislative question does not contain, the materials from which victory is manufactured, and therefore, if we be truly in earnest and determined on success, it is on the former question, and not on the latter, we must take our stand, fling out our banner, and hurl down to England our gage of battle. Victory follows that banner alone, that and no other. This island is ours, and have it we will, if the leaders be but true to the people and the people be true to themselves."

APPENDIX LIV

(See Chapter X, p. 286)

JOHN BRIGHT declared in the House of Commons, on August 25, 1848—
 "At present there prevails throughout three-fourths of the Irish people a total unbelief in the honesty and integrity of the Government of this country. There may or may not be grounds for all this ill-feeling ; but that it exists, no man acquainted with Ireland will deny. The first step to be taken is to remove this feeling ; and, to do this, some great measure or measures should be offered to the people of Ireland, which will act as a complete demonstration to them that by-gones are to be by-gones with regard to the administration of Irish affairs, and that henceforth new, generous, and equal principles of government are to be adopted. . . . Let the House, if it can, regard Ireland as an English country. Let us think of the eight millions of people,

and of the millions of them doomed to this intolerable suffering. Let us think of the half-million who, within two years past, have perished miserably in the workhouses, and on the highways, and in their hovels—more, far more, than ever fell by the sword in any war this country has ever waged ; let us think of the crop of nameless horrors which is even now growing up in Ireland, and whose disastrous fruit may be gathered in years and generations to come. Let us examine what are the laws and principles under which alone God and nature have permitted that nations should become industrious and provident."

APPENDIX LV

(See Chapter X, p. 287)

BRIGHT said during the second reading, on April 2, 1849—

"But the treatment of this Irish malady remains ever the same. We have nothing for it still but force and arms. You have an armed force there of 50,000 men to keep the people quiet, and large votes are annually required to keep the people alive. I presume the government by troops is easy, and that the

'Civil power may snore at ease,
While soldiers fire—to keep the peace.'—(CHATTERTON.)

But the noble lord at the head of the Government has no policy to propose for Ireland. If he had, he would have told us what it is before now. The poor law as a means of regenerating Ireland is a delusion. So is the rate in aid. I do not believe in the regenerating power either of the poor law or of the rate in aid. There may occur cases where farmers will continue to employ labourers for the mere purpose of preventing them from coming on the poor rates, but they are exceptions. If the desire of gain will not cause the employment of capital, assuredly poor rates will not. A poor law adds to pauperism by inviting to idleness. It drags down the man who pays, and demoralizes him who receives. It may expose, it may temporarily relieve, it will increase, but it can never put an end to pauperism. The poor law and the rate in aid are, therefore, utterly unavailing for such a purpose.

"It is the absence of all demand for labour that constitutes the real evil of Ireland. In the distressed unions a man's labour is absolutely worth nothing. It is not that the Irish people will not work. . . . There exists in Ireland a lamentable want of employment. The land there enjoys a perpetual Sabbath. . . . Honourable gentlemen turn with triumph to neighbouring countries, and speak in glowing terms of our glorious constitution. It is true that abroad thrones and dynasties have been overturned, whilst in England peace has reigned undisturbed. But take all the lives that have been lost in the last twelve months in Europe amidst the convulsions that have occurred—take all the cessation of trade, the destruction of industry, all the crushing of hopes and hearts, and they will not compare for an instant with the agonies which have been endured by the population of Ireland under your glorious Constitution. And there are those who now say that this is the ordering of Providence. . . . But let us not lay these calamities at the door of Providence ; it were sinful in us, of all men, to do so. God has blessed Ireland—and does still bless her—in position, in soil, in climate ; He has not withdrawn His promises, nor are they unfulfilled ; there is still the sunshine and the shower ; still the seed-time and the harvest ; and the affluent bosom of the earth yet offers sustenance for man. But man must do his part—we must do our part—we must retrace our steps—we must shun

the blunders, and, I would even say, the crimes of our past legislation. We must free the land and then we shall discover, and not till then, that industry, hopeful and remunerated—industry, free and inviolate, is the only sure foundation on which can be reared the enduring edifice of union and of peace." (*Speeches*, 2 vols., 1869.)

APPENDIX LVI

(See Chapter X, p. 290)

BRIGHT said, when the Bill was under discussion in Parliament, on February 17, 1866—

"Now, I do not believe that the Secretary of State has overstated his case for the purpose of inducing the House to consent to his proposition. I believe that if the majority of the people of Ireland, counted fairly out, had their will, and if they had the power, they would unmoor the island from its fastenings in the deep, and move it at least 2,000 miles to the west; and I believe, further, that if by conspiracy, or insurrection, or by that open agitation to which alone I ever would give any favour or consent, they could shake off the authority, I will not say of the English Crown, but of the Imperial Parliament, they would gladly do so. . . . You may pass this Bill, you may put the Home Secretary's five hundred men into jail—you may do more than this, you may suppress the conspiracy and put down the insurrection, but the moment it is suppressed there will still remain the germs of this malady, and from those germs will grow up as heretofore another crop of insurrection and another harvest of misfortune. And it may be that those who sit here eighteen years after this moment will find another Ministry and another Secretary of State ready to propose to you another administration of the same ever-failing and even poisonous medicine. I say there is a mode of making Ireland loyal. I say that the Parliament of England, having abolished the Parliament of Ireland, is doubly bound to examine what that mode is, and, if it can discover it, to adopt it. I may say that the Minister who occupies office in this country merely that he may carry on the daily routine of administration, who dares not go into Opposition, and who will sit anywhere except where he can tell his mind freely to the House and to the country, may have a high position in the country, but he is not a statesman nor is he worthy of the name.

"Sir, I shall not oppose the proposition of the right honourable gentleman. The circumstances, I presume, are such that the course which is about to be pursued is perhaps the only merciful course for Ireland. But I suppose it is not the intention of the Government in the case of persons who are arrested, and against whom any just complaint can be made, to do anything more than that which the ordinary law permits, and that when men are brought to trial they will be brought to trial with all the fairness and all the advantages which the ordinary law gives. I should say what was most unjust to the gentlemen sitting on that (the Treasury) bench, if I said aught else than that I believe they are as honestly disposed to do right in this matter as I am and as I have ever been. I implore them, if they can, to shake off the trammels of doubt and fear with regard to this question, and to say something that may be soothing—something that may give hope to Ireland.

"I voted the other night for the honourable member for Tralee (The O'Donoghue). We were in a very small minority. (Hear, hear.) Yes, I have often been in small minorities. The honourable gentleman would have been content with a word of kindness and of sympathy, not for conspiracy, but for the people of Ireland. That word was not inserted in the Queen's Speech, and to-night the Home Secretary has made a speech urging the

House to the course which, I presume, is about to be pursued ; but he did not in that speech utter a single sentence with regard to a question which lies behind, and is greater and deeper than that which is discussed. I hope, sir, that if Ministers feel themselves bound to take this course of suspending the common rights of personal freedom to the whole nation, at least they will not allow this debate to close without giving to us and to that nation some hope that before long measures will be considered and will be introduced which will tend to create the same loyalty in Ireland that exists in Great Britain. If every man outside the walls of this House who has the interest of the whole Empire at heart were to speak here, what would they say to this House? Let not one day elapse, let not another session pass, until you have done something to wipe off this blot—for blot it is upon the reign of the Queen, and scandal it is to the civilization and to the justice of the people of this country."

APPENDIX LVIA

(See Chapter X, p. 291)

ALGERNON CHARLES SWINBURNE, who appealed to the commiseration of his countrymen, wrote—

"Freeman he is not, but slave,
Whoso in fear of the State,
Asks for council of blood,
Help of gibbet or grave ;
Neither is any land great
Whom in her fear-stricken mood
These things only can save.

"Lo ! how fair from afar,
Taintless of tyranny, stands
Thy mighty daughter, for years
Who trod the wine-press of war ;
Shines with immaculate hands,
Slays not foe, neither fears,
Stains not peace with a scar."

APPENDIX LVII

(See Chapter X, p. 292)

BRIGHT, speaking at Rochdale, on December 23, 1867, said—

"It is not my intention to say anything in the way of explanation of what I conceive to be the grievances under which the Irish people have laboured, nor of the remedies which ought long ago to have been applied. I have done this frequently, both at public meetings and within the walls of the House of Commons. One thing, at any rate, I may be allowed to say with regard to them, that I entirely disagree with those who, when any crisis or trouble arises, say that you must first of all preserve order, you must put down all disloyalty and disobedience to the law, you must assert the supremacy of the Government, and then consider the grievances that are complained of.

Generally, after having asserted the supremacy of the law, and having made what they call peace under the terrors of the law, the grievances are forgotten, and there is no consideration of them. This has been the case in Ireland for two hundred years. The great preserver there has been the gallows. Of late years the barbarity of the law has but rarely exhibited itself, but in former years the number of persons who suffered death by the law in Ireland was something wonderful and appalling to think of. Now, twenty years ago, many of you will recollect that in Ireland, under the guidance of one of Ireland's greatest sons, the late Mr. O'Connell, there were held in Ireland meetings of vast numbers of people, equal probably in number to the meetings that were held a year ago in Birmingham, Manchester, Leeds, Glasgow, and in London. Those meetings were held to condemn certain things that were evil in Ireland, to demand remedies, to even insist that there should be a repeal of the legislative union between the two countries, for many thought that only an Irish Parliament could abolish the miseries of Ireland, but there is not one of you that can point to any single great measure of justice which has been given to Ireland in consequence of these great meetings. They were on the other side of the Channel. They did not frighten Lord Derby like the meetings of last year. They were not so near home, and the Government in London always knew that they could count upon the power of Great Britain to prevent any great mischief being done across the Channel. The grievances were not remedied. The demands of the people were not conceded. Nothing has been done in Ireland except, under the influence of terror. If you go back to the first time when the horrible penal laws were ameliorated, you will find it was during the time of the American War of Independence, when the Government in London felt that it would not do to have a great war with the Colonies on hand, along with the disaffection in Ireland, that the penal laws were mitigated to some extent. In 1829 the Catholic Emancipation Bill was passed, but the Duke of Wellington admitted it was passed because he would not take the responsibility of civil war. Afterwards, when a great famine took place, a Poor Law was passed for Ireland, and the Encumbered Estates Court was established, in order that the sale of land might be made more free; but, except under the pressure of some great emergency, no man can point to anything great or good having been done by the Imperial Parliament for the Irish nation. But if these huge meetings were disregarded, what was more natural or inevitable than that a certain portion of the people, not reasoning well, stimulated by an impassioned feeling of the wrongs done to their country, should descend into the ranks, the odious and criminal ranks of a dark conspiracy? If last year Parliament had refused to extend the franchise, if all our great meetings had been held in vain, if the popular voice had risen so that all the world should have heard but the deaf members of the Imperial Legislature, you would have had in England, I will not say a dark and criminal conspiracy, but you would have had men who would gradually have worked their way among the people and would have instructed them in principles and in practices which are near akin to the worst form of criminal conspiracy. There is nothing so safe as great meetings. Come together, look each other in the face, let the men who comprehend the things discuss them freely before you, consider them well for yourselves, vote by an open free vote in favour of the policy you require, and then let your rulers take that voice as significant of the will of the country, and let them bend to it, and give the country that which it demands. That has never been done for Ireland, and it is on this ground, and for this reason, that you have at this moment the terrible and calamitous state of things that exists."

APPENDIX LVIII

(See Chapter X, p. 293)

JOHN STUART MILL wrote at this time, in his *England and Ireland*—

"It is not consistent with self-respect, in a nation any more than in an individual, to wait till it is compelled by uncontrollable circumstances to resign that which it cannot in conscience hold. Before allowing its government to involve it in another repetition of the attempt to maintain English dominion over Ireland by brute force, the English nation ought to commune with its conscience, and solemnly reconsider its position. If England is unable to learn what is to be learnt, and unlearn what has to be unlearned, in order to make her rule willingly accepted by the Irish people; or, to look at the hypothesis on its other side, if the Irish are incapable of being taught the superiority of English notions about the way in which they ought to be governed, and obstinately persist in preferring their own; if this supposition, whichever way we choose to turn it, is true, are we the power which, according to the general fitness of things and the rules of morality, ought to govern Ireland? If so, what are we dreaming of, when we give our sympathy to the Poles, the Italians, the Hungarians, the Servians, the Greeks, and I know not how many other oppressed nationalities? On what principle did we act when we renounced the government of the Ionian Islands?"

John Morley said in a lecture at Blackburn, in 1868—

"Surely nobody can think it wonderful that the Irish farmer and the Irish peasant associate the name of England . . . with all that is miserable and oppressive. And nobody can believe that England is fully alive to her duty as the Imperial nation. The landlords harp continually on their right to do as they will with their own; and the alien clergy, in just the same strain, together with their confederates in this country, declare that their rights are in danger. I have never heard of the one or the other saying a word of their duties. The idea of political duty is not known to them. And it is this fact which impresses an Irishman."

Speaking two years later, during the debate on the Irish Church Bill, Disraeli remarked of the cause of Irish discontent—

"Yet the simple cause is now better understood, and we know that that disturbance and that discontent were occasioned by this fact—that more than a quarter of the people of Ireland consisted of paupers, and paupers in a helpless condition. On a square mile in Ireland, with reference to the cultivated portion of the country, there was a population greater than is to be found in any European or even any Asiatic country. This population depended for their subsistence upon the humblest means that probably any race of men ever existed upon. . . .

"When you conceive the position of a country where one-fourth, and more than one-fourth, of the population were paupers, and paupers in a helpless condition—when you know, as may be proved by documents on this table, that there were 600,000 families in Ireland who were only employed for twenty out of fifty-two weeks in the year—you can form some idea of a national condition which does not now prevail in any part of Europe. Recollect also that this population in this state of extreme adversity was not a stolid one, brutalized by their condition, as has sometimes happened in other parts of Europe, but a nation of much susceptibility, of quick feeling and imagination, ready to place themselves under the leading of any impassioned orator who called upon them to assemble and discuss the grievances of their country, or quick to yield to all the subdolous machinery which constitutes a secret society."

APPENDIX LVIIIA

(See Chapter X, p. 293)

LATER on Gladstone thus summed up in Parliament the influence of Fenianism on the people of Great Britain—

"In my opinion, and in the opinion of many with whom I communicated, the Fenian conspiracy has had an important influence with respect to Irish policy ; but it has not been an influence in determining, or in affecting in the slightest degree, the convictions which we have entertained with respect to the course proper to be pursued in Ireland. The influence of Fenianism was this—that when the Habeas Corpus Act was suspended, when all the consequent proceedings occurred, when the tranquillity of the great city of Manchester was disturbed, when the Metropolis itself was shocked and horrified by an inhuman outrage, when a sense of insecurity went abroad far and wide . . . when the inhabitants of the different towns of the country were swearing themselves in as special constables for the maintenance of life and property—then it was when these phenomena came home to the popular mind, and produced that attitude of attention and preparedness on the part of the whole population of this country which qualified them to embrace, in a manner foreign to their habits in other times, the vast importance of the Irish controversy."

APPENDIX LVIIIB

(See Chapter XI, p. 299)

IT was during the debate upon this question of compromise that Bright said—

"With regard to this Bill I believe the greatest and safest policy towards Ireland is the most generous policy. You have tried the other policy for centuries, and there is not a spectacle in the world so humiliating to a Government as the spectacle of Ireland is to our own. You have tried to govern through the landlords of Ireland, through what you call the territorial system. Your government has lamentably failed ; it has made that island a scene of anarchy. Your proprietors are, for the most part, ruined ; your people have been starved off and have emigrated by hundreds of thousands. . . . Irishmen are like other men. They may be controlled and guided and governed by kindness, generosity and justice. Do you wish that the representatives of Ireland should be the representatives of its territorial proprietors only, and are you afraid to have in your house one hundred gentlemen who represent the great mass of the occupying tenantry ? If we had a hundred representatives of this kind, even if we did not legislate in all things as they desire, still they would feel that their voice was heard in the Imperial Parliament, and, comparing their position with Lancashire, Yorkshire, and Devonshire, they would feel that their countrymen were treated by the Imperial Legislature with the same justice as the great mass of the population of England and Scotland."

APPENDIX LVIIIc

(See Chapter XII, p. 309)

WRITING to Lord Lyttleton on April 9 of this year, Gladstone said—

"My opinions on the Irish Church were, I know, those of Newcastle and Sydney Herbert twenty years ago ; and they were not Radicals. Ever since Maynooth, in 1845, I have seen that resistance *in principle* was gone. That was the main reason which led me to make such a serious affair of my own case about the Maynooth grant in that year. But I held this embryo opinion in my mind, as there was no cause to precipitate it into life, and waited to fortify or alter or invalidate it by the teachings of experience. At last the time for speaking, and therefore for formulating my ideas came, and I have spoken according as I believe to be the sense of all the leading men with whom I acted from Peel's death onwards, and within the sense not only of Lord Macaulay, but of the present Lord Grey."—John Morley's *Life of Gladstone*.

APPENDIX LVIIId

(See Chapter XII, p. 309)

LORD LIFFORD in his *Plea for Irish Landlords*, published about this time, wrote—

"Justice is seldom done to the Roman Catholic clergy by those opposed to them. They are judged of in England by a few noisy members of their body, who make themselves conspicuous in elections ; but little is known about the great body of Irish priests—their genial kindness, and their influence over their flocks for good. When I recollect that they are sprung from the people, that in their earliest years they imbibed the thoughts and opinions of the people—dangerous, and grounded on false notions of history, and of their rights, as I have stated those opinions to be ; that they associate invariably with the people, and though often men of refinement of mind, induced by a superior education, seldom with the higher classes, my wonder is, not that they are sometimes coarse and unscrupulous agitators, but that they are so generally charitable and self-denying parish priests, the strenuous advocates and enforcers of morality, order, and submission to the law. Be that as it may, in every case of attempted or contemplated rebellion against the Queen's Government for the last half-century, the Roman Catholic clergy, in conformity with the laws of their Church, and from their knowledge of what is the best interest of their flocks, have used their powerful interest on the side of loyalty."

APPENDIX LVIIIE

(See Chapter XII, p. 311)

JOHN MORLEY, in his *Life of Gladstone*, relates an interesting incident at this time—

"On the afternoon of the first of December he received at Hawarden the

communication from Windsor. 'I was standing by him,' says Mr. Evelyn Ashley, 'holding his coat on my arm, while he in his shirt sleeves was wielding an axe to cut down a tree. Up came a telegraph messenger. He took the telegram, opened it, and read it, and then handed it to me, speaking only two words, "very significant," and at once resumed his work. The message merely stated that General Gray would arrive that evening from Windsor. This of course implied that a mandate was coming from the Queen charging Mr. Gladstone with the formation of his first Government. . . . After a few minutes the blows ceased, and Mr. Gladstone, resting on the handle of his axe, looked up, and with deep earnestness in his voice and with great intensity in his face, exclaimed, *My mission is to pacify Ireland*. He then resumed his task, and never said another word till the tree was down."

On December 29, 1868, Gladstone wrote in his diary—

"This birthday opens my sixtieth year. I descend the hill of life. It would be a truer figure to say I ascend a steepening path with a burden ever gathering weight. The Almighty seems to sustain and spare me for some purpose of His own, deeply unworthy as I know myself to be. Glory be to His name."

On the 31st of the same month he wrote to Bishop Hinds—

"Our three *corps d'armée*, I may almost say, have been Scotch Presbyterians, English and Welsh Nonconformists, and Irish Roman Catholics. We are very strong in our minority of clerical and lay Churchmen, but it is the strength of weight, not of numbers. The English Churchmen as a body have done their worst against us . . . yet we represent the national force, tested by a majority of considerably over a hundred voices."

APPENDIX LIX

(See Chapter XII, p. 311)

ON moving his resolutions, Gladstone said—

"The issue is not in our hands. What we have had and have to do is to consider well and deeply before we take that first step in an engagement such as this; but having entered into the controversy, we must quit ourselves like men, and make every effort to remove the scandal and calamity of the relations between England and Ireland, and use our best exertions to build up with the cement of honour and concord the whole fabric of the British Empire."

Again, during the struggle over the Bill—

"At any rate, I think the day has come when an end is finally to be put to that union, not between the Church and religious association, but between the Establishment and the State, which was commenced under circumstances little auspicious, and has endured to be a source of unhappiness to Ireland and of scandal and discredit to England. This measure is in every sense a *great* measure; great in its principles, great in the multitude of its dry, technical, but nevertheless interesting details, and great as a testing measure, for it will show for one and all of us of what mettle we are made. Upon us all it brings a great responsibility. We upon this bench are specially chargeable—nay deeply guilty, if we have either dishonestly or even prematurely or unwisely, challenged so gigantic an issue. I know well the punishments that follow rashness in public affairs, and that ought to fall on those men—those Phaëtons in politics—that, with hands unequal to the task, attempt to guide the chariot of the Sun. But the responsibility passes beyond us, and

rests on every man who has to take part in the discussion and the decision on this Bill. Every man approaches the discussion under the most solemn obligation to raise the level of his vision and extend its scope in proportion to the greatness of the matter in hand. The working of our constitutional government is itself on its trial; for I do not believe that there was ever a time when the wheels of legislative machinery were set in motion under conditions of peace and order and constitutional regularity, to deal with a question greater and more profound. And more especially, sir, is the credit and fame of this great assembly involved; this assembly, which has inherited through many ages the accumulated honours of brilliant triumphs, of peaceful but courageous legislation, is now called upon to address itself to a task which would indeed have demanded all the best energies of the very best among your fathers and ancestors. I believe it will prove to be worthy of the task. Should it fail, even the fame of the House of Commons will suffer disparagement; should it succeed, even that fame, I venture to say, will receive no small, no insensible addition."

John Bright observed during the debate on April 1, 1868—

"I suppose it will be admitted that there are only two pretences on which this State Church—the Protestant Church—can exist in Ireland. The one is religious—the other is political. Now, has anybody been able to show that as a religious institution, it has not been a deplorable failure? because clearly the original intention, the original hope was, that the people of Ireland would be drawn from the Church of Rome and brought into harmony with the Church of England. I undertake to say, from the time of its first establishment until now, reckoning up all the Catholics on the one side and the Protestants on the other, that it could not be shown, and is not to be believed, that it has ever added really one person in every hundred persons to the actual number of Protestants in the kingdom of Ireland. It has been an entire failure—a failure deplorable and almost ludicrous, as an engine for converting the Catholic population. But it has not only not made Catholics into Protestants, but it has made Catholics in Ireland more intensely Roman than the members of that Church are found to be in any other country in Europe or in America. And what is more than that, I think it can be demonstrated that the existence of the Protestant Church in Ireland, whether missionary or not in pretence, has not only not converted the Catholics themselves, but has made it absolutely impossible that anybody else, or any other Church should convert them. Because, if you look how the Church has been connected with the State, and with the politics of the country, with the supremacy of the landed proprietors, with the supremacy of the Protestant party, with all the dark records of the past, you will see the effect has been to make Catholicism in Ireland not only a faith, but absolutely a patriotism. . . . And if this Church has failed as a religious institution, how stands it as a political institution? It was intended not only to convert the Catholics, but to secure the Union. . . . We have been during all this time defending this Church with the sword. The sword has scarcely ever been out of the hand of the governing power in Ireland. And if a fair, simple, unadorned narrative were given of the transactions of this Parliament with Ireland, with regard to its different enactments, coercive restrictions, suspensions of the Habeas Corpus Act, and so forth, it would form a narrative which would astonish the world and would discredit us. Sir, I am afraid it is not too much to say that, in support of this supremacy, many victims have perished on the scaffold in Ireland, and that the fields of Ireland have been more than once drenched with the blood of her people. But after all this is done we are not a bit more secure."

APPENDIX LX

(See Chapter XII, p. 316)

IN 1901 the Irish Disestablished Church enjoyed the services of two archbishops, eleven bishops, and 1,700 clergy. It moreover possessed 1,400 churches, with a membership of 579,385, or 13 per cent. of the population, and it received in the year 1900 voluntary contributions amounting to £173,539. It was governed in 1901 by a general synod, the bishops, clergy, and laity having the right to vote separately, and there were also twenty-three diocesan synods. The commutation capital of the Disestablished Church in 1902 only amounted to £919,192, charged with annuities to 199 annuitants of £31,609. The funds, however, in the custody of the Representative Body amounted in all to £8,220,073, inclusive of the commutation capital. Between 1869 and 1902 the members of the Church paid into the Representative Body a total sum of £5,494,586. The Roman Catholic Church in Ireland in 1901 was under the four Archbishops of Armagh, Cashel, Dublin, and Tuam, and twenty-three bishops, besides a bishop auxiliary; the emoluments of a bishop being derived from his parish, the licences of marriage, etc., and the "cathedraticum"—a small contribution paid by incumbents of parishes. The incomes of all classes of the Irish Roman Catholic clergy were derived partly from fees, but principally from Christmas and Easter dues and other voluntary offerings. The Roman Catholic population in Ireland in 1902 was returned at 3,308,661, or 74·21 per cent. of the population. As regards the other persuasions, there were in that year 443,276 Presbyterians and 62,006 Methodists, as well as about 5,000 Baptists and about 1,700 Jews.

APPENDIX LXI

(See Chapter XIII, p. 318)

THAT their aspirations were not the dreams of foolish theorists dabbling in moonshine and oblivious to the surrounding world, but the grim purpose of men who belonged to a race that for centuries had been trodden underfoot, was recognized by the *Times*. Commenting on the 30th of May 1850 upon the murder of a Mr. Mauleverer, that newspaper wrote—

"A murder committed in England is evidence only of individual depravity, exciting mere horror in the minds of the public as they read the details of the crime. But, in Ireland, murder is but too often a proof of some great social disease—of some terrible and widespread mischief which is undermining the strength of society itself—portending anarchy, and all the terror and misery with which anarchy is inevitably attended; and thus not only exciting horror at the crime itself, but also raising most painful emotions of alarm for the future safety of the social and political institutions under which we live. The murder of Mr. Mauleverer is a crime of this description. It is the hideous result of some fearful wrong. . . . What, we ask, are likely to be the feelings of a man cast into the road, with his wife and wailing children around him, without shelter, without food, without hope? Burning indignation is in his heart—ignorant, and mad with desperate recklessness he turns in his anger on the direct instrument of his misery. . . . Revenge weaves itself a fatal web of sophistry, and eagerly listens to any suggestion which

gives to the gratification of its passions and hate the character of the wild justice which was long since declared to be the slaves' sole protection. Such are the facts which this awful deed has clearly brought before us. And is not society called upon, under such circumstances, to step in to consider the abuse of those rights of property which society has created for the benefit of all? Are we to stand by with folded hands, looking on in mute despair as if these events were an inevitable necessity—an evil beyond the reach of law or public opinion? Surely we are not justified in adopting such a listless course. If the proprietors of the soil, in maintaining the rights which the law has given them, thus recklessly inflict misery, without stint, upon the helpless and unfortunate peasantry—if they say, that without the perpetration of barbarities which would disgrace a Turkish pasha, their rents cannot be collected—if they are to bring in the attorney-multiplying process, and with process multiplying costs, and reducing the peasantry to hopeless slavery—and if they are thus to convert the country into a battlefield for the landlords, and process-servers, and sheriffs, and sheriffs' officers, on the one side, and the furious peasantry and banded assassins on the other, then we say it is the bounden duty of the Legislature boldly to interfere, and either to enforce upon the present landlord the duties while it maintains the rights of property, or to create a new landed proprietary, whose intelligence and wealth will enable them to secure the peace of society, and thus lay the foundation of national prosperity."

Mr. Trench, Lord Lansdowne's agent, made a statement to William Nassau Senior, the economist, to the same effect—

"For the last twenty years there have been numerous occasions on which I have been the object of some deadly conspiracy, and yet I deny that the Irish are a sanguinary people. There are ten times as many murders committed in England as there are in Ireland. I never take up an English paper in which I do not find murder after murder heading a column. . . . The English ruffian murders for money. He sees a man get change at a public-house, follows him, and beats his brains out for two shillings and threepence. The Irishman murders patriotically. He murders to assert and enforce a principle—that the land which the peasant has reclaimed from the bog, the cabin which he has built, and the trees which he has planted, are his own, subject to the landlord's right by law to exact a rent for the result of another man's labours. In general he pays the rent, generally he exerts himself to pay it, even when the payment is difficult to him; but he resolves not to be dispossessed. He joins a Ribbon lodge, and opposes to the combination of the rich the combination of the poor. . . . I am almost ashamed to say how much I have sympathized with them."

APPENDIX LXIA

(See Chapter XIII, p. 330)

THE improvements for which a tenant could claim compensation under the Bill were as follows:—

- (1) The thorough drainage or main drainage of land.
- (2) Reclaiming of land from tidal or other waters.
- (3) Protection of land by embankment from tidal or other waters.
- (4) Reclaiming bog land, or reclaiming or enclosing waste land.
- (5) Making roads or fences.
- (6) Erection of farm buildings, houses for stewards, labourers, or other persons employed in superintending the cultivation of, or in cultivating, land, and of other buildings for farm purposes.

APPENDIX LXII

(See Chapter XIII, p. 330)

ISAAC BUTT,¹ who curiously enough defended the Act of Union, when an alderman of the Corporation of Dublin, in the debate on repeal in that assembly in 1843, wrote in 1867, and his words are to be recommended to the attention of all those who take an interest in the Irish question—

“Let us suppose that the question related, not to Ireland, but to some remote dependence of the British Empire, to some conquered province of India, or even one of the ‘Crown Colonies’ in some West Indian island. The statement laid before an English Minister is this :

“There is a country subject to the British Crown, and under the control of the British Legislature, in which the cultivators of the soil are subject to the dominion of a few persons claiming proprietary rights ; these men—it matters not whether they call themselves zemindars, or slave-owners, or chiefs, or feudal nobles—claim the right of enforcing from the peasant an arbitrary tribute—of imposing on him any rules and conditions they think fit—of seizing on any little property he may have created by industry in improving his small plot of ground, and of turning him out of his home and his farm whenever they think proper. These powers are sometimes exercised with cruelty and under circumstances of great hardship—they everywhere create in the minds of the occupiers dissatisfaction and discontent.

“Is there a man who reads this who doubts what the remedy would be ? The British Minister who had to deal with such a case would say at once : Commute the arbitrary exaction into a fixed rent proportioned to the real value of the holding—settle the conditions upon which he is to hold, and give him such a tenure as will protect him against arbitrary eviction by the zemindar, the slave-owner, or the feudal noble.

“Is not this exactly the state of things which exists in Ireland ? and is not this precisely the remedy I propose ?

“Let us suppose, in addition to this, that this occurred in a country in which the property had been taken away from the native proprietors and conferred upon English settlers, placed in it for the express purpose of conciliating the people to English rule, and most strictly enjoined to forbear uncertain exactions and precarious tenures. Let it be a conquered province of India. Complaints come home that these proprietors have recently changed all the customary lettings of the country, that the ryots—we must not call them tenants—dissatisfied with the conditions to which they are reduced, are committing frequent outrages—that they are flying from the country in immense numbers, while those who remain are engaging in plans of revolt. Let me suppose your lordship (Lord Lifford) were sent as a Commissioner by your Sovereign, with plenary powers, to settle the differences that distracted such a province. On calling all classes together you find that the poor ‘ryots’ would be peaceable and contented if you assured them of their holdings at a moderate rent, and on a tenure of sixty years. I believe, my Lord, that after settling such a measure you would return with pride to your Sovereign, and tell her that you had executed her commission with an ease and a satisfaction which surprised you.

¹ Butt, who was born in 1813, was one of the contributors to the *Dublin University Magazine* ; and he also wrote the following books : *The Gap of Barnesmore*, a novel ; a *History of Italy* ; *The Law of Compensation to Tenants* ; *Plea for the Celtic Race* ; *The Irish People and the Irish Land* ; *The Irish Querist* ; and *Problem of Irish Education*. His Parliamentary career commenced in 1852 as the representative of the borough of Harwich. He died in 1879, when member for the city of Limerick.

"And if to such a moderate request the English zemindars—I must not call them landlords—refused their assent ; if you had the power you would give the people what they asked in spite of the zemindars. If you had not that power you would, I think, tell the zemindars that they would dissent at their peril, and that if they refused to settle their differences with the 'ryots' upon such moderate and equitable terms, they must not expect that the troops of the British Sovereign would any longer support them in enforcing rights which were really oppression and wrong.

"And this is not done in the case of Ireland, just because we have the fiction of an identity with England. The owner of the soil is a 'landlord,' not a 'zemindar,' the occupier is a 'tenant,' and not a 'ryot.' I believe in my conscience that if we had Irish or Gaelic names to express the relation, if the owner were a 'crobe' and the occupier a 'kerne,' an English Parliament would not for one session tolerate the continuance of the wrong. . . .

"A state of things exists in Ireland which would not be endured in England for one year. If Ireland were an independent country it would long since have been set right. If we were a dependent colony, or a mere subject dependence of the British Crown, justice would be done to us. If we were the subjects of any other civilized Government, protection would be given to the occupiers of the Irish soil. But just because we are advanced to the benefit and dignity of a partnership with the British nation, a system of land tenure is maintained entirely unsuited to our condition, and which no other conceivable form of government would condemn us to endure." (*The Irish People and the Irish Land.*)

APPENDIX LXIII

(See Chapter XIII, p. 332)

AS Butt wrote—

"Lord Naas's Bill would enable the substantial farmer, who holds under a lease, to make improvements on his farm, even against his landlord's will, provided he obtained the sanction of the Board of Works. Under Mr. Fortescue's Bill the poor but industrious farmer might acquire, from a careless or inattentive owner, some little property by the expenditure of his industry on his farm. In every other instance, under either Bill, the permission of improvements would be just as it is now, a matter in which the tenant is dependent solely on the good-will and pleasure of his lord.

"Mr. Fortescue's measure would be an admirable one if all the lands in Ireland were held from year to year, and all landlords were willing that their tenants should acquire a property by improvements in their farms. Lord Naas's would be still more useful if all tenants held by lease, and were rich enough to make improvements which would bear the expense of a survey by the Board of Works. Unhappily the circumstances of Ireland are not exactly those for which the provisions of either Bill would appear to be framed." (*The Irish People and the Irish Land.*)

APPENDIX LXIV

(See Chapter XIII, p. 338)

JOSEPH KAY, in his *Social Condition of the People in England and Europe*, observes—

"The Irish, who make such good colonists when they emigrate, would,

with a system of free-trade in land, make equally good citizens at home. The enormous tracts of waste land would soon be brought into cultivation, as the mountain sides of Saxony and Switzerland, as the sunny places of Prussia, and as the low lands of Holland have been under the same invigorating system. . . . If Stein and Hardenberg had been ministers of England, depend upon it they would have endeavoured long ago to introduce into Ireland, at least, that system which has raised the Prussian, Saxon, and Swiss peasantry from a social condition analogous to that of the Irish poor, to one which renders them worthy of being regarded as examples for the consideration of the world.

"Where the Irishman can make himself, by industry, a proprietor of land, and where he is not shackled by middle-age legislation, he becomes, immediately, the most energetic and conservative of colonists. He there acquires faster than any one else; he effects more in one day than any one else; and he forces his rulers to write home to England—as the Governor of South Australia did some years ago—that the Irish are the most enterprising, orderly, and successful of all the colonists of those distant lands. . . .

"Were we to enable the Irish tenant to make himself a proprietor, we should in twenty years alter the character of Ireland. The peasant would become conservative, orderly, and industrious; the moor and waste land would disappear; cultivation would spread its green carpet over the bogs and mountains; and the now unhappy island would become a powerful arm of Great Britain. . . . The Irish farmers, who now send over their savings to the English Savings' Banks, or hide them among the rafters of their barns, would soon buy land; and Ireland, so fertile, so admirably situated to carry on an immense trade with America, would soon become one of the most productive and prosperous islands of the sea. This is no fanciful picture. No country has yet changed tenants-at-will for small proprietors without being vastly benefited, and benefited, too, as surely Ireland would be."

APPENDIX · LXV

(See Chapter XIII, p. 339)

A YEAR or two before the Act of 1870, John Stuart Mill had written—

"Middlemen are rapidly dying out, but there was lately a middleman in the county of Clare, under whose landlordship Irish peasants, by their labours and their scanty means, reclaimed a considerable tract on the sea-coast and founded thereon the flourishing watering-place of Kilkee. The middleman died, his lease fell in, and the tenants fancied that they should now be still better off; but the head landlord, the Marquis of Conyngham, at once put on rents equal to the full value of the improvements (in some instances an increase of 700 per cent.), and not content with this, pulled down a considerable portion of the town, reduced its population from 1,879 to 950, and drove out the remainder to wander about Ireland, or to go to England or America, and swell the ranks of the bitter enemies of Great Britain. Did the interest, any more than the good feelings, of this landlord, prevent him from destroying this remarkable creation of industry and giving its creators cause bitterly to repent that they had ever made it? What might not be hoped from a people who had the energy and enterprise to create a flourishing town under liability to be robbed? And to what sympathy or consideration are those entitled who avail themselves of a bad law to perpetrate what is morally robbery?" (*England and Ireland.*)

But this was no tare in a garden of roses. The Marquis of Conyngham had no need to be oppressed by a sense of isolation. He did not flourish in solitude. There were other noxious plants and cankerous roots, *for where the carcass is, there will the vultures be gathered together.*

APPENDIX LXVA

(See Chapter XIII, p. 339)

HE had written to Lord Granville in January 1870—

"We have now to deal with the *gros* of the Irish question, and the Irish question is in a category by itself. It would almost be a crime in a minister to omit anything that might serve to mark, and bring home to the minds of men, the gravity of the occasion. Moreover, I am persuaded that the Queen's own sympathies would be, not as last year, but in the same current as ours. To this great country the state of Ireland after seven hundred years of our tutelage is in my opinion, so long as it continues, an intolerable disgrace, and a danger so absolutely transcending all others, that I call it the only real danger of the noble empire of the Queen."—(John Morley's *Life of Gladstone*.)

APPENDIX LXVB

(See Chapter XIII, p. 342)

ANOTHER injurious feature of the measure was pointed out by Alexander George Richey, the Irish historian—

"The cause of their (those who drew up the Act of 1870) failure is obvious to any one acquainted with the nature of the landed estates title which it was considered desirable for the tenant to obtain. A Landed Estates Court conveyance affects not only the parties to the proceedings, but binds persons, whether parties or not, and extinguishes all rights which are inconsistent with the terms of the grant of the Court. If by any mistake more lands than should properly be sold be included in the grant, or the most indisputable rights of third parties are not noticed in the body of the grant or the annexed schedule, irreparable injustice is done, and the injured parties have no redress."

APPENDIX LXVc

(See Chapter XIII, p. 342)

BRIGHT's scheme of land reform in Ireland was to enable the peasantry to buy up, with money advanced by Government, estates of British noblemen who happened to be owners of property in both countries, at a price ten per cent. in excess of their value.

Isaac Butt's scheme was a projected Act of Parliament, declaring that after the said Act every tenant, who chose to claim its protection, should be entitled to a lease of sixty-three years at a rent one-third below the full or competition value.

Lord Dufferin's scheme was to leave the right of contract between tenant and landlord perfectly free; to substitute, where no contract existed, a presumption that, within certain limits, any improvement made by the tenant was his property. Every improvement also was to be registered, on which it was intended to found a claim for compensation. Moreover a loan might be made to landlords for the purpose of buying up the existing improvements of their tenants, when such improvements were sufficient security for the loan.

APPENDIX LXV_D

(See Chapter XIV, p. 348)

THE *Leader* of Dublin wrote in 1902—

"No one will deny that Irish schools have been greatly hampered by the difficulties of that Intermediate System, which has such deplorable results upon the education of the country. We know how whole-heartedly our schools entered in the mischievous competition which has developed the keenest commercial rivalry between them. The outcome is a hideous uniformity, which is destructive of all originality in teacher or pupil, and of everything that deserves the name of intellectual development. Our schools have been co-operating in, and conniving at, these deplorable results for the last twenty years, for the wretched bribe of the Result Fees. So enormous is the percentage of failures, that the education dispensed to them, and the ideals held up to our youth, and the atmosphere breathed by them in our colleges, must have something intrinsically pernicious about it."

And Bishop O'Dwyer, in his evidence before the University Commission appointed in 1901, said, in regard to the manner in which large sums of money were disposed of under the Intermediate System—

"There is absolutely no inquiry of any kind. My Diocesan School is in receipt of £500 or £600 a year. I can do absolutely what I like with the money. I can build a Catholic Church with it. I can use it to send missionaries to any quarter of the globe. No one ever asks what is done with the money."

APPENDIX LXV_E

(See Chapter XIV, p. 349)

JOHN BRIGHT said on April 16, 1845—

"I assert that the Protestant Church of Ireland is at the root of the evils of that country. The Irish Catholics would thank you infinitely more if you were to wipe out that foul blot, than they would even if Parliament were to establish the Roman Catholic Church alongside of it. They have had everything Protestant—a Protestant clique that has been dominant in the country; a Protestant Viceroy to distribute places and emoluments amongst that Protestant clique; Protestant judges who have polluted the seats of justice; Protestant magistrates, before whom the Catholic peasant could not hope for justice. They have not only Protestant, but exterminating landlords, and more than that, a Protestant soldiery, who, at the beck and command of a Protestant priest, have butchered and killed a Catholic peasant, even in the presence of his widowed mother. All these things are notorious; I merely state them. I do not bring the proof of them; they are patent to all the world, and that man must have been unobservant indeed who is not perfectly convinced of their truth."

APPENDIX LXV_F

(See Chapter XIV, p. 350)

MACAULAY said of this hypocrisy—

"The Orangeman raises his howl, and Exeter Hall sets up its bray, and Mr. McNeile is horrified to think that a still larger grant is intended for the priests of Baal at the table of Jezebel, and the Protestant operatives of Dublin call for the impeachment of Ministers in exceedingly bad English. But what did you expect? Did you think when to serve your turn you called the devil up, that it was as easy to lay him as to raise him? Did you think when session after session you went on thwarting and reviling those whom you know to be in the right, and flattering all the worst passions of those you know to be in the wrong, that the day of reckoning would never come? It has come, and there you sit, doing penance for the disingenuousness of years."

APPENDIX LXVI

(See Chapter XIV, p. 357)

MATTHEW ARNOLD in his essay on *Irish Catholicism and British Liberalism* wrote—

"Irish Catholicism is Ultramontane, priest-governed, superstitious, self-confident. It could hardly be otherwise. The Irish Catholic has no public education beyond the elementary school. His priests are educated in the closest of seminaries. The national sense has been so managed in him by us, with our oppression and ill-government, that national sense as a member of our nation and empire he has none. His national sense is that of a conquered people, held down by a superior force of aliens, and glad to conspire against them with Rome or with any one else. If we want the Irish to be less superstitious, less priest-governed, less Ultramontane, let us do what is likely to serve this end. The Irish will use Catholic schools and no other. Let us give them secondary and higher Catholic schools with a public character. As public higher schools the Queen's Colleges have been offered to them; but they will not use the Queen's Colleges, any more than we, either, are disposed to use colleges of that type. The Catholic layman has, therefore, neither secondary nor higher school; the priest has for a higher school, Maynooth, a close seminary. What an admirable and likely cure is this for Irish ignorance, sacerdotalism, Ultramontanism, and disaffection!"

APPENDIX LXVI_A

(See Chapter XIV, p. 363)

THE debate on the Bill was thus concluded by him—

"To mete out justice to Ireland according to the best view that with human infirmity we could form has been the work, I will almost say the sacred work of this Parliament. Having put our hand to the plough, let us not turn back. Let not what we think the fault or the perverseness of those

whom we are attempting to assist have the slightest effect in turning us from the path on which we have entered. As we have begun so let us go through, and with firm and resolute hand let us efface from the law and practice of this country the last—I believe it is the last—of the religious and social grievances of Ireland."

APPENDIX LXVII

(See Chapter XIV, p. 363)

CARDINAL CULLEN issued a declaration on March 9, setting forth their views, the most important of which were expressed to the following effect—

"That, viewing with alarm the widespread ruin caused by godless systems of education, and adhering to the declarations of the Holy See, we reiterate the condemnation of mixed education as fraught with danger to that divine faith which is to be prized above all earthly things. . . . That the distinguished proposer of this measure, proclaiming as he does in his opening speech that the condition of Roman Catholics in Ireland with regard to University education is 'miserably bad,' 'scandalously bad,' and, professing to redress this admitted grievance, brings forward a measure singularly inconsistent with his professions, because, instead of redressing, it perpetuates that grievance, upholding two out of three of the Queen's Colleges, and planting on the metropolis two other great teaching institutions the same in principle with the Queen's Colleges. . . . That, as the legal owners of the Catholic University, and, at the same time, acting on behalf of the Catholic people of Ireland, for whose advantage and by whose generosity it has been established, in the exercise of that right of ownership, we will not consent to the affiliation of the Catholic University to the new University, unless the proposed scheme be largely modified; and we have the same objection to the affiliation of other Catholic colleges in Ireland."

APPENDIX LXVIII

(See Chapter XV, p. 369)

THE complaint of the tenants was not a trumped-up grievance. Professor Cairnes in his *Political Essays* wrote—

"Most frequently, then, the evicted tenant has for himself and those dependent upon him absolutely no means of support or place of shelter outside his farm. The evictions, moreover, having almost invariably taken place for the purpose of consolidating farms, even where non-payment has been the legal ground, the pulling down of the tenant's house has been an almost constant incident in the scene—an incident too generally performed in the sight, if not over the very heads of the retiring family who are thrust forth, it may be, in mid-winter, frequently half-naked and starving. In the rare instances in which they have saved enough to procure them a passage to New York they will probably emigrate at once; where this is not the case, they will cower, often for days and weeks together, in ditches by the roadsides, depending for their support upon casual charity. . . . This being what is meant by an eviction in Ireland, the question might be raised whether the strict enforcement of contracts for rent by such means, in such times as Ireland has lately passed through, be altogether reconcilable with

that Christian charity of which we all make such loud profession ; whether, when a great national convulsion has made the performance of contracts impossible, the exaction by landlords of the tenants' pound of flesh is the precise duty which in that crisis they owe their country ; in a word, whether the bare plea that rent is written in the bond ought under all circumstances to be taken as a complete discharge from responsibility for any amount of misery inflicted in enforcing it—this, I say, is a question which might be raised ; but for the present I have no need to entertain it. It will suffice to call attention to the admitted fact that for a large proportion of the evictions there did not exist even this technical justification."

John Elliot Cairnes (1823-1875) was appointed Professor of Political Economy in University College in London in 1866.

APPENDIX LXIX

(See Chapter XV, p. 370)

SIR CHARLES RUSSELL said before the Parnell Commission in 1888—

"My Lords, side by side with that (the distress in Ireland), what was the state of things with regard to the landlord action? Just as, following the famine years ejectments multiplied, and threats of ejectments, so it was in 1879, 1880, 1881, and 1882. I shall give your Lordships the figures presently. I have said already that it is not any part of my purpose to pass a wholesale condemnation upon the landlords. They suffered—unquestionably they suffered. They, either from want of appreciation of their duties, or from want of means to enable them to fulfil their duties, or from a combination of both, certainly played neither a patriotic nor a generous part, and if it were necessary to make a contrast, I would refer your Lordships, for it is common knowledge, to the mode in which English landlords met their tenants : for the depression which existed in Ireland, and which was felt in great intensity there, was felt in England too ; felt by landlords and tenants alike, but met in England by a just appreciation on the part of the landlords of the position ; by reductions over the length and breadth of the land, reductions greater even than the forced reductions afterwards obtained through the instrumentality of the Land Courts ; and a reduction, my Lords, in England of 25 per cent. is certainly the equivalent of at least a reduction by an Irish landlord of 35 to 40 per cent. The English landlord still has to have his hand in his pocket, even with the smallest of rentals. But in Ireland the landlords, partly from necessity, partly from want of generous consideration, continued to press their tenants. I am speaking of them as a body, and I say they did not meet the necessities of the case in any proper spirit, or until the pressure of agitation forced them to do so." (*Speech*, published 1889.)

And what was the state of Ireland that called for some little consideration from the land owners? In Dr. Roughan's local report to the Irish Local Government Board, which was quoted in the Report of that Department for 1880, he said, speaking of Galway—

"I have also during the last ten days made personal and other inquiries in different parts of the union, and have no doubt that the general condition of the poor, especially the cottiers, labourers, and artisans, is in a very much worse state than it has been since 1850. . . . The labouring classes are now entirely without employment, and the small householders and room-keepers living in the town of Galway and the various small villages in the union, are suffering intensely from want of fuel ; it is difficult to understand how they are able to bear up against it."

Mr. Robinson in his local report to the same Board, describing a portion of Clifden, said—

"The houses were bare and empty, and the clothing was scant and ragged. Many of the children, indeed, had nothing on whatever, except an old red pocket-handkerchief or a patch of flannel pulled over their shoulders ; and no better criterion of the genuineness of their want could be than the pale and emaciated appearance of some of the women."

Mr. Fox, who went to Ireland to examine into the state of the people, with a view of reporting to one of the several committees which were formed for the relief of distress in 1879 and 1880, wrote in his report to the Mansion House Committee on the condition of things in Mayo in 1880—

"I have taken the precaution of seeing with my own eyes many of the recipients of relief in their miserable hovels, which, so far as I have yet observed, are a shocking reproach to the civilization of the nineteenth century. . . . I do not believe that tongue or pen, however eloquent, could truly depict the awful destitution of some of those hovels. The children are often nearly naked. Bedding there is none, everything of that kind having long since gone to the pawn-office, as proved to me by numerous tickets placed in my hands for inspection in well-nigh every hovel. A layer of old straw, covered by the dirty sacks which conveyed the seed potatoes and artificial manure in the spring, is the sole provision of thousands, with this exception, that babies sleeping in wooden boxes are occasionally indulged with a bit of thin old flannel stitched on to the sacking. Men, women, and children sleep under a roof, and within walls dripping with wet, while the floor is saturated with damp, not uncommonly oozing out of it in little pools. In one case I asked a gaunt, starved-looking man, whom I found literally endeavouring to sleep away the hunger, where his little children slept, when he pointed to a corner in the moist room in which I could see no signs of bedding. 'Do they wear their clothes at night?'—'No.'—'How then do they keep warm?'—'There is,' he replied, with the most amazing simplicity and composure, 'a deal of warmth in children,' signifying that they obtained warmth by huddling together like little animals. This occurred at Carrycastle. . . . I invariably found them on the occasion of my visit crouching round the semblance of a fire lighted on the open hearth. And this at midsummer—showing how terribly low must be the vitality amongst them. . . . It was only when I was accompanied by a Catholic priest I could get an insight into the appalling want. Alone, some of the most destitute tried to screen from me the poverty of their truckle beds, upon which the straw was often so thin that I could touch the bare boards with my hands. These received me with a dull passive surprise, wondering what might be the object of my curiosity in so wretched a country. And even the priest himself had occasionally to use no little persuasion to overcome this modest feeling, as assuring them that I was present in the capacity of a friend. Everywhere the condition of the children was otherwise dreadful, there being for them nothing but the Indian meal, badly cooked, to live upon, and the parents only too glad if the charitable funds provided the family with half enough even of that. Sometimes there was a miserable cow about the premises, for in every case I am referring to, the class of small farmers mostly resided on three to five acres of land, which in North Mayo is generally found to be reclaimed bog or mountain slope ; and this cow was supplying milk, principally gratis, to a small number of children other than the owner's, to mix with the Indian meal. Occasionally people appealed privately to my companion on no account to cut off the charitable supplies from the possessor of the cow, seldom worth more than a few pounds, and just then unsaleable in any market, as the animal was the hope of so many little ones. At other times, cooked cabbage, without a morsel of condiment save salt, was found where there was no meal, and in some instances one was found mixed with the other. But in numerous cases there

was neither milk, meal, nor cabbage about the premises, and in those I gave some temporary relief to fill up the interval till the next general distribution of the local committee. Sometimes even charity itself had failed, and the mother of the tender young family was found absent, begging for the loan of some Indian meal from other recipients of charitable relief—the father being almost in every instance away in England, labouring to make out some provision for the coming winter. Yet in the most destitute cases hardly a word of complaint was uttered on the subject, it being a habit with, if not the nature of, the Mayo peasant submissively to ascribe his lot in times of scarcity as well as plenty to the ‘will of Providence.’ We visited more than thirty hovels of the poor, principally in the townlands of Culmore and Cashel, in which I beheld scenes of wretchedness and misery wholly indescribable. In some of these hovels evicted families had lately taken refuge, so that over-crowding added to the other horrors of the situation. In one hovel in the townland of Cashel we found a little child three years old—one of a family of six—apparently very ill, with no person more competent to watch it than an idiot sister of eighteen, while the mother was absent begging committee relief, the father being in England; in another an aged mother, also very ill, lying alone and unattended, with nothing to eat save long-cooked Indian meal, which she was unable to swallow; in another, in the townland of Culmore, there were four young children, one of whom was in a desperate condition for want of its natural food—without which it was no longer capable of eating the Indian meal stirabout, or even retaining anything whatever in its stomach.”

APPENDIX LXIXA

(See Chapter XV, p. 370)

CONSPIRATORS had tried to draw Parnell within their net, but without success. On November 7, Devoy, on behalf of the Irish Fenians in America, cabled the following message to Charles Kickham, to be forwarded to Parnell—

“The Nationalists (Fenians) here will support you on the following conditions—

“(1) Abandonment of the federal demand and substitution of a general declaration in favour of self-government.

“(2) Vigorous agitation of the Land Question on the basis of a peasant proprietary, while accepting concessions tending to abolish arbitrary evictions.

“(3) Exclusion of all sectarian issues from the platform.

“(4) Irish members to vote together on all Imperial and home questions, adopt an aggressive policy, and energetically resist coercive legislation.

“(5) Advocacy of all struggling nationalities in the British Empire and elsewhere.”

Parnell took no action on this message. There was no sympathy between him and the Clan na Gael; as he said in his evidence before the Special Commission on May 1, 1889—

“I have never gone further, either in my thought or my action, than the restitution of the legislative independence of Ireland; it is absolutely false that anything like a combination between the two parties (Fenians and Constitutionalists) ever existed either in Ireland, England, or America, as far as I know. I believe to this day the physical force organization has been constantly hostile to us since 1880.”

APPENDIX LXX

(See Chapter XV, p. 371)

AS he himself wrote in the pages of the *New York World* in 1882—

"When I was in prison I spent my time thinking of what plan could be proposed which would unite all Irishmen upon some one common ground. I saw that the movements for the independence of Ireland had failed for two reasons : first, that there had never been one in which the people were united ; second, because the movements had been wholly sentimental. I saw that for Irishmen to succeed they must be united, and that they must have a practical issue to put before Englishmen and the world at large. Sentiment cannot be relied upon to move neighbouring nations, and when changes of great political importance, involving an alteration in the policy of a country like England, conservative, and somewhat slow to move, are to be brought about, there must be something practical in the issue put forward. I saw all this, and I made up my mind that the only issue upon which Home Rulers, Nationalists, Obstructionists, and each and every shade of opinion existing in Ireland, could be united, was the Land Question. I at first proposed my plan to leaders of the Nationalists when a short time out of prison, but they refused to have anything to do with a constitutional agitation (at this time the Nationalists were the physical force party). Among nations of the present day secret political associations are an anomaly.

"If the weak have a just cause they can, by presenting its claims to recognition, force the strong to grant them justice. They can do this purely as the result of public opinion ; in other words, influencing the party of the strong in their favour by winning public opinion on their side. Now, it must be perfectly apparent to every one that if you wish to reach public opinion and to influence it, you must do everything openly. The converse of this would be so absurd that it is scarcely worth discussing. A secret society then makes the use of the only weapon of the weak, if not impossible, exceedingly difficult. I therefore resolved that any new plan in connection with Ireland should not be placed for operation in the hands of any one party, although I was willing, if the Nationalists chose to adopt it as a new departure, to let them inaugurate it. They refused, however. I visited personally every man who was at all prominent in connection with Irish affairs, and in order to find out the state of feeling here, I came to this country upon a lecturing tour. I went all through, and satisfied myself that the issue was one which would be adopted by the Irish in America. More than that, I convinced myself that the issue was one which would command the respect of the Americans themselves."

APPENDIX LXXI

(See Chapter XV, p. 372)

'APPEAL TO THE IRISH RACE'

THE calm reasonableness of the statements contained in this "Appeal to the Irish Race" are to be recommended to the notice of those who believe that nothing but falsehood and exaggeration can issue from an Irish pen.

"The land and rent agitation which has originated in the West of Ireland and is rapidly spreading throughout the country, has now assumed such

national proportions that it becomes a question of first importance to all who sympathize with its legitimate objects, how best to guide this popular movement to the attainment of those ends. Temporary abatements of excessive rents are being, and may continue to be, obtained through the various agencies of a sympathetic but unorganized advocacy, which the existing widespread and alarming distress elicits from the press and bodies of the community; but without the creation of some constituted guide or directing influence, the primary, if not the sole cause of the existing poverty of the agricultural classes will not be removed.

"Independent of the effect which the products of the free lands of America and other favoured countries must have in competition with the produce created under rent-tied and paralyzing conditions in Ireland, almost all the evils under which her people suffer are referable to a land system glaringly antagonistic to the first principles of justice and fair government, which place the good of the greatest number below the privileged gratification of the few. Landlordism, founded as an institution of systematic partiality, has proved itself but too true to the spirit of its origin by reducing all who are dependent on, but unprotected by, ownership of the soil, to a degraded, semi-mendicant existence, and, in addition, includes the loss of that independent character which arises from an independence of position.

"The duties which feudal laws and customs exacted in return from those in whom they recognized certain arbitrary rights, have been ignored by Irish landlordism in its relations to the soil and those dependent upon the fruits of its cultivation, thus adding to the other indictments against the system a non-fulfilment of essential obligations.

"Any land system which does not tend to improve the value of land and enable cultivation to meet the emergencies of those dependent upon its produce, stands self-condemned as barbarous, unjust, and reprehensible. The diminished population of our country, the millions of our race who perished in or who fled from a land in which God intended they should not die by hunger; the continued struggle with poverty, which those have to maintain who yet cling to their native soil, and the periodic climaxation of the impoverishing influences which landlordism exercises upon the social life of Ireland, demand at last, in face of yet another impending national calamity, the application of a remedy which can no longer be denied for the salvation of a people. In contrast to the social wretchedness to which a barbarous land system has reduced our country is the rapidly progressing prosperity of those peoples at whose demand, or for whose benefit, such a system has been swept away, and the cultivator of the soil has replaced the landlord as its proprietor. The surplus produce of lands thus freed, and agricultural industry thus relieved from its rent-taxation, is now placed by easy transit over sea and land in competition with what is produced under conditions of land-tenure the most unfavourable, and incentives to toil the least encouraging, that ever regulated the chief industry of any civilized country. When to this is added the adverse influences of successive bad seasons, on the point of culminating in what threatens to be the worst yet experienced since famine years, the position of the Irish farmer, and those depending upon the fruits of his enterprise and labour, assumes an aspect of menacing ruin, which to consider as transient or accidental would be a criminal disregard of the vital existence of a people. Impelled by the desperate circumstances of their situation, the farming and other classes concerned have proclaimed their grievances in public meetings and by the press, demanding the remedies which alone can redress them. A consensus of opinion, apart from immediate interestedness, has declared that the remedy put forward by the present agitation is founded on justice, reason, and expediency, and that its application is absolutely essential to meet the evils complained of and insure the prosperity and contentment of Ireland. In formulating a demand for ownership of the soil by the occupiers in

substitution for that of the landlords, the people of Ireland neither contemplate nor ask for the confiscation of those proprietary rights which existing laws must necessarily recognize and protect; but that for the transfer of those rights to an industrial ownership, a fair compensation may be given to those who shall be called upon to agree to such transfer for the settlement of the agrarian strife of the country, and for the supreme good of its people.

"To carry out a project as vast as that which we contemplate must require means in proportion to the difficulties that must be encountered in the undertaking. Tenants' defence associations must be organized in every county, and assistance be rendered to farmers who may be called upon to defend themselves against an unjust or capricious exercise of landlord power. The wealth of Ireland is almost entirely in the hands of that class which we purpose for the good of the country to deprive of the absolute possession of the soil, and it is but natural to expect that strong and influential opposition will be offered by those who will be called upon to surrender the privileges they have so long enjoyed, even in virtue of compensation and expediency. To meet this opposition and guide the national movement for freeing the land of Ireland, assistance of two kinds must be forthcoming. The first and most essential kind is an organized development of earnestness, and a resolute attitude on the part of the six hundred thousand landless farmers of Ireland, as well as those whose daily bread depends upon the prosperity of their fatherland, in demanding their just rights as guaranteed in the settlement we propose. The second aid required is money. Neither has ever been wanting when the national spirit of our country and the patriotism of her exiled sons have been appealed to in a patriotic cause, and we are confident they will not be withheld now when the very soil of Ireland is the object we desire to free and the land slavery of our people the thing we are resolved shall be abolished for ever. None of our race have had such bitter experience of the wrongs of landlordism as those who have been compelled to seek abroad the food denied them at home, and none should more readily and generously sympathize with those who are resolved to retain a firm grip of their Irish homesteads than the exiled who were forced by iniquitous laws to leave them.

"In the great shelter-land of peoples ten millions of the Irish race have found a home. The system we aspire to abolish has banished them from Ireland. Benefiting by laws which afford equal protection and encouragement to all citizens of the great Republic of America, they can appreciate the efforts which aim at affording equal incentives to progress to their crushed and persecuted kindred here.

"Not alone to our fellow-countrymen in America, but to all whom evil laws have scattered the world over, as well as to all other nationalities who sympathize with a wronged and impoverished people who at last are resolved upon a remedy for the evils afflicting them, do we call for an advocacy of our cause and support in our efforts to achieve success.

"In constituting ourselves a committee for the purpose of carrying out this work we are animated with but one desire, to aid the tenant-farmers and those depending upon the soil of Ireland to lift themselves from the misery and social degradation in which they are plunged into a position where the notice to quit and the rack-rent will not operate against their industry, security and contentment. We are influenced by no party spirit in making this appeal, nor do we in any way purpose to place this committee in antagonism with existing bodies or organizations employed in other departments of national labour. To free the land of Ireland from the unwise and unjust restrictions which militate against its proper cultivation, and prevent the development of its full resources, should be a labour above the customary influences of party or sectional strife, and to be guided alone by motives of disinterested effort for the benefit of our common country, and the improve-

ment, contentment, and prosperity of the greatest number of our fellow-countrymen.

"The grounds upon which we feel authorized to issue this appeal are the fact of our being either directly or indirectly connected with the agitation which has sprung from the distress that has evoked a national condemnation of the present land system. As this land movement has won an endorsement from public opinion of an occupying proprietary settlement of the Land Question, those who have advocated such a remedy prior to and in conjunction with the national demand now made for it, feel themselves justified in taking such steps as may be best calculated to ensure its application to the existing land evils of our country. In pursuance of this intention we issue this appeal to Irishmen the world over, and to those who sympathize with the object in view, to aid us in our efforts to obtain for our people the possession of an unfettered soil, and for Ireland the benefits which must result from an unrestricted development of its products and resources."

Various rules were also drawn up for the direction of the members of the League, branches of which were to be established in every parish, or groups of parishes in Ireland. The fourth rule was—

"That the membership subscription shall not be less than one shilling, each year, the subscription being based on Government valuations, as follows: One shilling annually for first £5 valuation and under, and an increase of one shilling for every additional £10."

Rules 8 to 13 inclusive were as follow—

"That no person shall be admitted to membership who does not give his adhesion to the principles of the League.

"That no one taking a farm from which another has been evicted for non-payment of unjust rent shall be allowed to become a member of any branch of the Land League.

"That any member of a branch bidding for, or occupying a farm from which a member or non-member has been evicted, or who shall rent land which a member or non-member may have surrendered on grounds of excessive rent or upon a refusal of a fair reduction of a rack-rent, shall be expelled the branch for such action.

"That no man assisting to serve processes of ejectment, or taking part in any eviction, or purchasing stock or produce seized for non-payment of a rack-rent be allowed the membership of any branch. Any member of a branch proved guilty of any of the foregoing acts to be at once expelled.

"That the managing committee of each branch of the League should keep a register of the members, particulars of their holdings, names of their landlords and agents, amount of rent paid annually or otherwise, excess of same above Government valuation, cases of rack-renting and eviction, and all the necessary particulars touching the relation of landlords with their tenants in the locality of such branch of the League, in books to be supplied by the Central Executive.

"That all sectarian discussions be excluded from meetings." (See *Speech* of Sir Charles Russell, published 1889.)

APPENDIX LXXIA

(See Chapter XV, p. 374)

IN Michael Davitt's *The Fall of Feudalism in Ireland* there is the following passage—

"America had on two occasions almost rescued Mr. Parnell from the fate which ultimately wrecked his brilliant career and inflicted a ten years' national agony on Ireland and lost us Home Rule for the time. I once

heard him say that he had, when younger, been 'badly jilted.' It was, I think, during his first visit to the United States. 'I proposed, but she refused.' Little did this young lady, whoever she might have been, imagine the wrong she was thus unthinkingly committing against Ireland and its people. A happy marriage might have kept Parnell straight and enabled him to deal with the Irish question wisely and successfully. Again, early in 1880, after his return from the Transatlantic Mission, a young, accomplished, and very wealthy Irish-American lady came to London and Ireland, attracted by the handsome Irish leader and the romance of his public life. There could be no doubt about the trend of her wishes in regard to him. She and her father put up in Morrison's hotel, where Parnell always had his quarters when in Dublin. Unfortunately there was no response on his part to this delicate but obvious attention. Soon afterwards other eyes conquered him and led him captive into the snares of a fatal affection."

APPENDIX LXXII

(See Chapter XV, p. 375)

LAND LEAGUE'S PROGRAMME OF PARLIAMENTARY REFORM, 1880

THE scheme of reform was as follows—

"In 1870 Parliament, considering it 'expedient to amend the law relating to the occupation and ownership of land in Ireland,' passed what is known as the Land Act. This Act has for objects: (1) To provide for the tenant security of tenure; (2) to vest in him the property which he created in his holding by the expenditure of his labour and capital; and (3) to enable them to become the owners of their holdings.

"To give effect to these objects provision was made to compensate for disturbance tenants evicted by the act of the landlord; to compensate for the loss of their improvements, tenants voluntarily quitting their holdings or evicted for non-payment of rent, and to empower the Board of Works to advance money to tenants for the purchase of their holdings, where landlord and tenant had agreed for the sale of same. Has the Act succeeded in giving effect to the intentions of its authors? Has it established security of tenure for the tenant farmers of Ireland? Has it secured to them the property which their industry and capital may have created in the soil? Has it prevented the arbitrary increase of rent? Or has it, even to a limited extent, established a peasant proprietary? To these questions, we regret, there is but one answer—the Land Act has failed. The experience of the last ten years justifies this assertion. Within that period tenants have been capriciously evicted, rents have been arbitrarily increased, and improvements have been confiscated as if the Act never existed. To check, if not to render impossible, eviction under notices to quit, provision was made (section 3) that where a tenant is 'disturbed by the act of the landlord,' the Court having jurisdiction in the matter may award him compensation for the loss of his holding. The sum to be so awarded is subject to certain limits prescribed by the Act left to the discretion of the chairman (now the county court judge). For example, where a holding is valued at £10 annually or under the sum awarded, 'shall in no case exceed seven years' rent.' It was soon judicially decided that, according to the wording of the section, the judge might award the whole scale of compensation or any part of it. This discretionary power vested in the Court has left the position of the tenant

farmer more precarious than ever. In most cases he could not even hazard a guess as to what his rights were, as to what his compensation (if any) might be. In the adjudication of claim everything depends upon the skill and moral constitution of witnesses—upon the ability and uprightness of the judge. Where one chairman—a man of broad views, uninfluenced by class prejudices—might grant ample and fair compensation—a sum sufficiently large to deter a landlord from evicting his tenants—another, perhaps, of narrow mind, and one who owed his appointment to landlord patronage, would allow no actual compensation whatever. To this inequality of justice, and to the risks and expenses which a tenant should undergo in order to assert his rights, may be attributed the failure of the Land Act to secure to the 'industrious occupier the benefits of his industry,' and to protect him in quiet and peaceable possession of his home.

"Mr. Butt's Bill.

"The Land Act having failed to settle the Irish Land Question, a Bill was introduced into Parliament by the late Mr. Butt, which, it was alleged, would 'enable occupiers to hold their land upon tenures, sufficiently secure to induce them to make improvements.' The advocates of this measure contend that the Bill, if passed, would 'root the tenant farmers in the soil,' by establishing fixity of tenure at fair rents.

"'Fixity of tenure at fair rents' is, no doubt, an attractive phrase, but its only merit is, that it is attractive. Let us examine it as a proposed solution of the Land Question, and first as to 'fair rents.' How is the fairness or unfairness of rents to be determined? For an answer we must appeal to part 3 of Mr. Butt's Bill wherein provisions are set forth purporting to enable the 'occupiers of land to obtain certain and secure tenures.' Clause 33 of the Bill provides that the chairman shall give to a tenant a 'declaration of tenancy,' and shall therein specify the rent to be paid by him in respect of such premises. Clause 45 provides that when the landlord and tenant shall not agree upon the rent to be so specified, 'the same shall be left to the decision of three arbitrators.'

"Now, how is a tenant to obtain a 'declaration of tenancy,' specifying the rent which he is to pay for his holding? How is he to obtain the benefit of Mr. Butt's measure? By bringing an action against his landlord! In the first place, he should serve notice of claim upon the landlord, then file this claim, as claims are now filed under the Land Act, and when the claim was so filed the case as between landlord and tenant would be ripe for hearing. The judge is empowered to specify in the declaration of tenancy the rent as fixed by the arbitrators. But, suppose the landlord is dissatisfied with the rent so fixed, he may appeal to the assizes, and should the decision of that tribunal be adverse, he may bring the suit to the Court of Land Cases Reserved. Nor is that all, for even when a declaration of tenancy is obtained the landlord would have the right to apply to a Court of Equity to set aside the said declaration of tenancy on the ground of fraud (clause 42).

"From the foregoing it appears plain that no tenant could derive any benefit from Mr. Butt's Bill unless he had plenty of money to spend in litigation. To obtain a declaration of tenancy, even if no appeal existed, a solicitor should be employed to prepare notices, a civil engineer to survey the holding, experts to value the improvements claimed by the tenant, and witnesses as to the time of occupancy should be procured. Then there would be the expense of hearing, solicitors' costs and counsels' fees. Where could the tenant farmer be found (unless, perhaps, a rich grazier) who would venture to obtain security of tenure at the risk and expense of legal proceedings as above set forth? Where is the small tenant (and there are in Ireland 320,000 holdings valued under £8 a year, of which 175,003 are valued under £4) to whom such proceedings would not bring certain ruin?

We feel convinced that of the 600,000 tenant farmers in Ireland not more than 100,000 would be able to pay the costs necessary to obtain a declaration of tenancy, and even this minority, having secured such declaration of tenancy from the Court after tedious and expensive litigation, would reap therefrom a very dubious benefit.

"Suppose a declaration of tenancy obtained, the rent fixed for twenty-one years, would the tenant thereby be secured against eviction? If the rents had been fixed in all Ireland three years ago, what would be the position of the tenant farmers to-day in face of the fall which has taken place in the value of farm produce? If rents were fixed to-morrow, what guarantee is there that increased foreign competition would not cause a still greater fall in the value of land? And yet the advocates of fixity of tenure would tie the tenants of Ireland to conditions in regard to rent which would in all probability bring about their ruin. We cannot, then, undertake the responsibility of recommending Mr. Butt's Bill as a settlement of the Land Question, nor can we conceive any permanent measure having for its object the adjustment of rents as between landlord and tenant which to the tyranny of the rent-office would not add the uncertainty and peril of the court of law.

"Programme for Consideration of Conference.

"Feeling convinced, then, that it is inexpedient to maintain and impossible to amend the present relations between landlord and tenant, the question presents itself—What measure of land reform do the exigencies of the situation demand? The Land Question in Ireland is the tangled heritage of centuries of one-sided class legislation, the successful solution of which will necessitate the greatest care and investigation, together with an anxious desire to do right on the part of all who approach its consideration. Time will be needed by the present House of Commons to inform itself as to the merits of a question which is only just commencing to be understood in Ireland, and scarcely understood at all in England.

"Provisional Measure for Suspension of Power of Ejectment, etc., for Two Years.

"We, therefore, recommend as an *ad interim* measure, in view of the desperate conditions of the country, until comprehensive reforms can be perfected, that a Bill should be pushed forward with all speed suspending for two years ejectments for non-payment of rent, and for overholding, in the case of all holdings valued at £10 a year and under, and suspending for a similar period of two years in the case of any holding whatsoever the right of recovering a higher rent than the poor-law valuation.

"Proposals for Permanent Reform.

"Next, as to the permanent reform of land tenure in Ireland, we are of opinion that the establishment of a peasant proprietary is the only solution of the question which will be accepted as final by the country. The Land Act created, as between landlord and tenant, an irregular partnership in the ownership of the land, giving to the former a right to rent for his interest in the soil, and to the latter a right to compensation for the loss of his property therein. Now we venture to assert that this system, whereby two opposing classes have valuable interests in the same property, must cease to exist. The well-being of the State, the preservation of the people, the peace and prosperity of the country, demand the dissolution of a partnership which has made financial ruin and social chaos the normal condition of Ireland; and the time has arrived when Parliament must decide whether a few non-working men or the great body of industrious and wealth-producing tillers of the soil are to own the land.

"Creation of a Department of Land Administration for Ireland.

"To carry out the permanent reform of land tenure referred to, we propose the creation of a department or commission of land administration for Ireland. This department would be invested with ample powers to deal with all questions relating to land in Ireland—

"1. Where the landlord and tenant of any holding had agreed for the sale to the tenant of the said holding, the department would execute the necessary conveyance to the tenant, and advance him the whole or part of the purchase money, and upon such advance being made by the department, such holding would be deemed to be charged with an annuity of £5 per every £100 of such advance, and so in proportion for any less sum, such annuity to be limited in favour of the department, and to be declared to be repayable in the terms of 35 years.

"2. Where a tenant tendered to the landlord for the purchase of his holding a sum equal to 20 years of the poor-law valuation thereof, the department would execute the conveyance of the said holding to the tenant, and would be empowered to advance to the tenant the whole or any part of the purchase money, the repayment of which would be secured as set forth in the case of voluntary sales.

"3. The department would be empowered to acquire the ownership of any estate upon tendering to the owner thereof a sum equal to 20 years of the poor-law valuation of such estate, and to let said estate to the tenants at a rent equal to $3\frac{1}{2}$ per cent. of the purchase money thereof.

"4. The department or the court having jurisdiction in this matter would be empowered to determine the rights and priorities of the several persons entitled to or having charges upon or otherwise interested in any holding conveyed as above-mentioned, and would distribute the purchase money in accordance with such rights or priorities, and when any moneys arising from a sale were not immediately distributable, the department would have a right to invest the said moneys for the benefit of the parties entitled thereto.

"Provision would be made whereby the Treasury would from time to time advance to the department such sums of money as would be required for the purchases above mentioned.

"Easy Transfer of Land, Compulsory Registration, etc.

"To render the proposed change in the tenure of land effectual it would be necessary to make provision for the cheap and simple transfer of immovable property. To effect this an organic reform of the law of real property would be requisite. The Statute of Uses should be repealed, distinction between 'legal' and 'equitable' interests abolished, and the law of entail swept away. In short, the laws relating to land should be assimilated as closely as possible to the laws relating to personal property. The Landed Estates Court would be transferred to the Department of Land Administration, its system of procedure cheapened and improved. In each country in Ireland there would be established a registry office wherein all owners of land would be compelled to register their titles, wherein also would be registered mortgages and all charges and interests whatsoever. Titles so registered (in accordance with rules provided for the purpose) would be made indefeasible.

"With such a system of registration established and legal phraseology in conveyancing abolished, a holding of land might be transferred from one owner to another as cheaply as a share in a ship or money in the funds, and thus no apparent obstacle would stand in the way of the Department of Land Administration from carrying out the reforms which we have suggested, reforms which, it may be hoped, will bring prosperity and contentment to an impoverished and distracted country."

APPENDIX LXXIII

(See Chapter XV, p. 375)

MICHAEL DAVITT'S MEMORANDUM OF INSTRUCTIONS
TO ORGANIZERS AND OFFICERS OF THE BRANCHES
OF THE LAND LEAGUE, DECEMBER 1880

DAVITT'S letter ran as follows—

"The unprecedented growth of the organization of the League within the last few months and the consequent increase in the duties and responsibilities of the executive, necessitate the offering of some suggestions of a general character in reference to the present position of the movement, which, if acted upon, will strengthen its hands in the administration of the League, and powerfully aid in the speedy attainment of the objects for which it was organized. In face of the efforts which are being made to arrest the progress of the movement, by instituting proceedings against members of our body and otherwise, nothing is so essential in the task of frustrating such unjust designs as to convince both public opinion and our enemies that our organization, from the central executive in Dublin to the remotest branch in the country, is one thoroughly united body, animated with but one resolve, and working together in harmony like a piece of well-adjusted machinery. Convinced of the power which systematic combination alone can give, the enemies of the Land League will find it an easier and more profitable task to compete with it in the solution of the Land Question, and in rendering service to our people, than to essay the impossible task of crushing it by the old time-worn weapons of State prosecutions, coercion, and intimidation. Every branch should, therefore, have its monthly report forwarded to the central offices punctually on the first day of each month, together with all subscriptions not required for the ordinary expenses of the branch. Each member of a branch should pledge himself to bring a new member at each meeting, until the people of the district are all enrolled. In the formation of new branches it is important to obtain intelligent men for officers, care being taken that no man be placed in position who is not steady, reliable and trustworthy.

"Each affiliated branch must communicate direct with the central executive in Dublin (or wherever else it may be necessary to carry on its labours) in all matters relating to finances, reports, and organization. County centralization invites dangers and attacks which could not so easily affect a solid, compact body under the complete guidance of a central executive council with the entire resources of the organization at its control. Disjointed action must, above all, be avoided by branches. Evidence is not wanting that numbers of men have joined, and are joining the League, who give but a half-hearted allegiance to its full programme. It will be the effort of the Government to propose such a measure as will be calculated to satisfy the weak-kneed reformers outside and inside our ranks, who are willing to accept half measures, as godsend, and who are likewise desirous of promoting the sway of Whiggery in Ireland. If men who denounced the programme of the League six months ago, but are now numbered among its members, are allowed to use a single branch of our organization as a platform of compromise with landlordism, or as a lever of disunion to weaken the power and influence of this great movement, the work of the enemy will have been performed, and a new lease of life be given to that system which otherwise can be crushed and banished from our midst.

"Organizers and officers of the League, speaking at public meetings or writing to the public press, are expected to enunciate the Land League platform of no compromise or partnership with landlordism, and to repudiate the proposals known as the three F's now being advocated by landlord organs, in hopes of saving a doomed system from destruction, and giving fixity of tenure in Ireland to most of those evils which have already depopulated our country, pauperized our people, and instigated those crimes which are now being charged by their real authors upon the organization which aims at their prevention.

"In no period of the League's existence was it so absolutely necessary for the tenant farmers and labourers throughout the length and breadth of the country to keep a firm grip upon and control over their passions and indignation at wrongs perpetrated and injustice threatened than at the present hour. The evil system which has so long been the curse of their families and existence is now gasping out its criminal life in face of the whole world—dethroned, discredited, and on the point of being destroyed by the stern but passionless action of a united and indignant people through the means of a bloodless revolution. To consummate its death should be the effort of every member of the League, to have the civilized world bend back its thumbs and give sanction to that decree against landlordism should be the aim and desire of every man upon whom it has inflicted injuries. How is this to be effected? To show the world that the just use of organized strength is to remedy present evils, and not to avenge past wrongs—to convince our enemies that we have at last learned how to evolve out of ourselves, build up, and control a power which can be directed by judgment and reason in the practical amelioration of our wrongs and grievances, instead of allowing it to fall a prey to that intoxication of purpose and unsystematic action which have hitherto purchased the defeat of the people's cause. To effect this object demands no sacrifice from any man in our ranks but that of temper and passion; to see it triumph requires no action but such as the League points out in its teachings and rules. Firm and determined attitude in making just demands without violence—to enforce what intelligent, legal, and resolute combination can obtain—enunciation of just principles and motives to convince where intimidation entails a conflict with law—arguments and motives based upon right and common good, when born of deep and honest conviction, will be found a more potent agent in furthering the cause of free land, and helping the League in winning it for the people, than means which jar upon the public mind and tend to alienate the sympathy of outside observers. Threatening letters are as unnecessary as they are stupidly criminal and unjustifiable; and we feel assured that no member of our organization has resorted to such a method of making just demands which invites the stigma of cowardice and clumsily plays into the hands of the landlords. If a just right cannot fearlessly be demanded by a victim of landlord power when a powerful organization is at his back to protect him, he deserves neither a concession from the landlord nor assistance from the League in obtaining it.

"In speaking of injuries inflicted upon dumb animals, we cannot for a single instant believe either the numerous reports of these monstrous outrages which the landlord organs are publishing, or that a single man within the ranks of our organization would be guilty of participating in the few cases which we are sorry to say have been authenticated. No injustice in the power of Irish landlordism to perpetrate upon our people could justify in the least degree the unfeeling brutality which inflicts injuries or suffering upon harmless and defenceless animals, in revenge for the wrongs committed by their owners. While dwelling upon this painful subject we would point out to the officers of the various branches throughout Ireland the advisability of informing the executive of any League of any outrage occurring in the locality, in order that reliable information may be at hand to correct the

vicious exaggeration given to insignificant occurrences by the landlord organs. Agents of the Associated Press throughout the country are known to have manufactured outrages near their districts in order to turn them to account in obtaining money by feeding the criminal appetite of English readers; and it is well to remind those gentlemen that while the privileges of the press entitle them to publish facts and make any just or fair comments thereon, deliberate concoction of outrages will be looked upon as real outrages upon the character and name of the Irish people. A fair and judicious use of the power of combination against the enemies of the people, traitors to the League, or instruments of unjust eviction or other landlord injustice, will work the requirements of our movement in the present crisis, without any resort to means or methods which would offer a pretext for foul play against the organization, or estrange the moral support of public opinion outside of Ireland from a just and noble cause." (See Sir Charles Russell's *Speech* published 1889.)

APPENDIX LXXIIIA

(See Chapter XV, p. 376)

GLADSTONE wrote to the Duke of Argyll on June 14, 1880—

"On inquiry, I find reason to believe that many ejectments are on account of an inability to pay rent, caused wholly by destitution, and that destitution due to the circumstances of the last harvest.

"Thereupon I have to ask myself a twofold question :

"1. In a country where we have numbers of occupiers living strictly from hand to mouth, and where the harvest has in certain districts been so destroyed as to cause frequently an absolute though temporary destitution, is it quite just that, on an ejectment served for not paying that which the man could not pay, he should forfeit entirely the little estate or interest in the land which was created for him by us under the Land Act of 1870 under the name of compensation for disturbance?

"2. Is the adoption of such an extreme proposition consistent in spirit on the part of those who in 1870 admitted that for tenancies under £15 then existing the fact of 'exorbitant' rent, *without any distinct condition of inability to pay*, should operate to prevent the destruction of the principle of disturbance in cases of ejectment for non-payment?

"My answer to question 1 is, 'No, it is not just;' to question 2, 'No, it is not consistent.'

"Then I put question 3, Am I to shrink from doing what is just and consistent because, as I admit, I shall be told that I am doing it at the bidding of O'Connor Power?

"It is a sound and just rule that we should discard the fear of being thought afraid."

APPENDIX LXXIV

(See Chapter XV, p. 378)

It found a champion there in the eloquent Duke of Argyll, who said on the 3rd of August—

"My noble friend behind me [Earl Granville] in moving the second reading of this Bill, said it was a very delicate thing to mention such cases [cases of eviction] because we might be holding up individuals to odium and possibly outrage. The House will feel, therefore, that the members of the

Government speak under great reserve of these matters ; but I must say frankly that there have been some cases in which individual landlords have shown a disposition to make wholesale evictions for non-payment of rent, where that non-payment was clearly due to the failure of crops. There was one case which became public in the newspapers, and which I have, therefore, the less delicacy in mentioning. I do not know even the name of the landlord, but I rather think he was a purchaser in the Encumbered Estates Court. . . . On the whole townland [Curraroe, in the county of Galway] there were eighty-nine tenants with families numbering in the whole five hundred and fifteen souls. The rent was £137 7s. 0d., or about thirty shillings each. They were of the smallest class of occupiers. There were 1,334 acres in the townland, of which 110 were arable, under crop. The whole stock of the farms consisted of only four horses, 110 cattle, 62 sheep, and 14 pigs. The total valuation of the stock and crop—everything—was £1,423, or about £2 15s. 0d. for every soul in the townland. One-twelfth of the acreage was arable. I think that was a case clearly in which the tenantry were so reduced, as you may see from the valuation of their stock and crop, that it was impossible they could pay their rent after the three years of the worst harvests we have had for a long period. In this case notices of eviction were served, I rather think, in the time of the late Government, but were enforced, or attempted to be enforced, by, I believe, only twenty men. There was a general resistance to the service of those ejectments ; and since we came into office the Irish Government had to reinforce the police in the place to the extent of 200 men. You had in that case at the mercy of the landowner a whole population of upwards of 500 souls, who, under the existing law, would have been evicted without one shilling of compensation, without one shilling to carry them to America, because they were evicted for non-payment of rent. What is the significance of these facts ?”

George Douglas Campbell, eighth Duke of Argyll, 1823–1900. On June 14, 1880, he had actually sent in his resignation to Gladstone on account of his disapproval of certain provisions of the Bill, but had withdrawn it later on, when various amendments had been introduced.

APPENDIX LXXV

(See Chapter XV, p. 379)

As Sir Charles Russell said before the Parnell Commission—

“The defendants [the leaders of the Land League movement] taught the Irish people the necessity for combining themselves together resolutely to fight for their lives in this extremity ; and it was a fight for their lives. I am not going to suggest that there were not men who took part in this struggle who may not have been unworthy of sympathy. I am not going to suggest that in such a struggle as this there were not men who, under the cloak of a great movement, sought their own selfish benefit and advantage. I am not going to suggest that as incidental to this there have not been misfortune, disturbance and crime. But I do suggest, I do affirm most boldly, that in its main character, in its essential objects, in its essential means, this was a movement and a combination which was not only justifiable before God and man, but necessary in the condition of things which existed.

“My lords, if further justification is needed for this movement, if any one still remains who has followed this case with any lingering doubt in his mind that there was a great social evil to be grappled with in the interests,

the common interests of humanity and of justice, if any one asks what is the justification beyond these facts, I refer them to the Statute-book of the realm, and in the Statute-book of the realm since the year 1879 is traced clearly, indelibly, unmistakably the justification for the position and the agitation of the Irish leaders and the Irish people. For, as surely as I have the honour this moment of addressing your lordships, the measure and fulness of the Land Act of 1881, of the Arrears Act of 1882, of the Purchase Act of 1885, of the further Acts of 1886 and 1887, mainly owe their existence upon the Statute-book of the realm to-day, constituting a new Charter for the Irish tenant, to the action of the men who at the instance of the *Times* are held up to public obloquy and public odium as criminals and accomplices in criminality before the law.

"My lords, I might even refer your lordships to the statements of more than one distinguished legislator, a man who has held high office, who in the House of Commons declared that the action of the Land League had made it possible for the Governments of 1881 and 1882 to pass their remedial measures of those years. I refer to Mr. Chamberlain. I think there are others who have spoken in the same sense. And what does that mean? My lords, it points to a grievous vice in our political system. It does not mean, I have never thought it, I have never said it; it did not mean that honest men who have their attention called to the wretched state of Ireland, and who form the representation of Scotland, England, and Wales, are not honestly anxious according to their view to do their duty; but it means that there is a *vis inertiae* prevailing in the Legislature in relation to Irish questions, partly caused by the pressure of, as it is thought, more important concerns, partly from want of information, partly from class interests, partly from prejudice, until it is literally true to say that, go over the legislation of the last hundred years and trace the story of its remedial legislation, and you will find that there is hardly one, if there be one, of the measures of that character which are to be found in the Statute-book which has come as a freewill offering of the Legislature, and which has not come as the result of agitation, sometimes constitutional, sometimes unconstitutional, but always after pressure."

This was the grand quandary of the Irish tenant. He must not quarrel with his diet because he was left to starve. He was expected to grow rich under confiscation and grateful under neglect, and to smile upon fortune when he was thrust out of doors. This was a new postulate invented for the use of the rulers of Ireland. The world was to believe that Ireland was differently made to any other country in the world; that its people had only to be given sufficient cause for desperation to render them loyal and contented subjects.

APPENDIX LXXVI

(See Chapter XV, p. 380)

THE origin of the word "boycott" is explained by James Redpath, in *Talks About Ireland*—

"The word was invented by Father John O'Malley about three days after the decree of social excommunication was issued against Boycott. Up to that time it had been called sometimes moral and sometimes social excommunication when ostracism was applied to a land-grabber. I was dining with Father John, at the presbytery of The Neale, and he asked me why I was not eating.

"I said, 'I am bothered about a word.'

"'What is it?' asked Father John.

" 'Well,' I said, 'when the people ostracise a grabber we call it social excommunication, but we ought to have an entirely different word to signify ostracism applied to a landlord or agent like Boycott. Ostracism won't do—the peasantry would not know the meaning of the word—and I can't think of any other.'

" 'No,' said Father John, 'ostracism wouldn't do.'

He looked down, tapped his big forehead, and said—

" 'How would it do to call it "Boycott him"?' "

" I was delighted, and said : ' Tell your people to call it "Boycotting," and when the reporters come down from Dublin and London they will hear the word. I am going to Dublin, and I will ask the young orators of the League to give it that name. I will use it in my correspondence with the American press, and between us we will make it as famous as the word "lynching" is in the United States.' "

The contrivances employed on both sides in the boycotting campaign are well illustrated by an incident related in Michael Davitt's *Fall of Feudalism in Ireland*—

" Mr. Bence Jones, an English landlord, had an estate near Clonakilty, in County Cork, which he managed himself on strictly commercial principles. He also farmed about one thousand acres of his own land. His tenants were of the small-holding class, and like others who had suffered in the bad seasons of 1878-79, they asked for a reduction in the gale falling due at the end of 1880. This Mr. Jones firmly refused to give. The local branch took instant action. The tenants were induced and pledged to stand out for 'Griffith's Valuation'—i. e. a rent reduced to the Government or rating valuation of the farm. The landlord was boycotted and his labourers were drawn off. Police came to protect him, and he had the continued service of a Scotch steward and of one or two English servants. This help, along with that of the members of his own family, enabled him to make a much better stand against his assailants than that of Captain Boycott. He had, however, to get rid of some valuable stock—about one hundred head of cattle—as these could not be looked after by his diminished labour service, and it was planned by him that they should be entrained at Bandon for Cork, and shipped thence to Bristol to be sold. A previous effort to sell a few loads of oats at Bandon fair had failed, the Bandon branch having boycotted the grain by ordering men to stand round the carts in the market and to inform would-be purchasers that the Land League prohibited the buying of Jones's goods. The cattle for Bristol were driven into Bandon by night, and, by aid of the police, they were put on the rails and sent off to Cork before the Bandon League, which had been caught napping, were aware of their arrival in the town. The local branch, on hearing of this mishap, wired to the League in Dublin information of what had occurred, and messages were immediately sent thence to Cork to have the cattle 'watched' on their arrival. This was done. The shipping companies were at once waited upon, and so much was the displeasure of the League feared at the time that no ships leaving Cork for Bristol could be got to carry Jones's cows. The jobbers who were shipping their ordinary cattle were induced to inform the agents of the companies that they would withdraw their custom if boycotted animals were carried on the boats patronized by them. The Jones cattle were, therefore, rejected. They were then driven to the station of the Great Southern and Western Railway, to be carried by rail to Dublin. A large force of police had to guard them until the freight-train started. Police were specially stationed at every stopping-place on the line until Dublin was reached, when the services of another body of police were called for. At the North Wall the League agents repeated the Cork tactics, and jobbers gave notice to the Glasgow Company's agents that they must choose between the regular custom of old dealers and this single consignment from a boycotted landlord. The company accepted the situation and declined to

carry the cattle. Next the Liverpool boats were tried, and a threat to resort to legal proceedings and to claim damages for a refusal as public carriers to take cattle on board obtained a passage for the animals to Liverpool. Here an agent of the League from Dublin awaited their arrival. The Irish salesmen in Liverpool had been interviewed in the meantime, and they helped to boycott the cattle in the city market. Finally the animals were driven outside the city to the hospitality of some friendly paddocks, and were ultimately disposed of by private negotiations."¹

APPENDIX LXXVII

(See Chapter XV, p. 383)

LORD RANDOLPH CHURCHILL had said at Preston on December 21, 1880—

"People sometimes talk too lightly of coercion ; it means that hundreds of Irishmen who, if law had been maintained unaltered and had been firmly enforced, would now have been leading peaceful, industrious, and honest lives, will soon be torn off to prison without trial ; that others will have to fly the country into hopeless exile ; that others, driven to desperation through such cruel alternatives, will perhaps shed their blood and sacrifice their lives in vain resistance to the forces of the Crown ; that many Irish homes, which would have been happy if evil courses had been firmly checked at the outset, will soon be bereaved of their most promising ornaments and support, disgraced by a felon's cell and by a convict's garb ; and if you look back over the brief period which has been necessary to bring about such terrible results, the mind recoils in horror from the ghastly spectacle of murdered landlords, tenant farmers tortured, mutilated dumb animals, which everywhere disfigure

¹ The disapproval that was displayed in the English press at the Irish system of boycotting would have carried more weight if there had not been the recollection that the same policy had been advocated by *Blackwood's Magazine*, in July 1832, just before the introduction of the Great Reform Bill—

"Finally, let the Conservative party universally and firmly act upon the principle of withdrawing their business from tradesmen whom they employ who do not support the Conservative candidate. In the manufacturing cities, which depend on the export sale, this measure may not have a very powerful effect, but in the metropolis, in the other great towns, and the small borough, it would have an incalculable effect. If universally and steadily acted upon it would be decisive of the fate of England. At least four-fifths, probably nine-tenths, of the purchase of articles of commerce come from the Conservative ranks ; if this were confined to men of Conservative principles there is an end of the revolutionary progress. There is nothing unjust in this ; the shopkeeper claims for himself the power of judging who should be his representative in Parliament. Granted, but he cannot refuse the same liberty of choice to his customer as to whom he is to employ as his butcher, his baker, or his clothier. There might be some reluctance in taking this step in ordinary times, when no vital part of the State is at stake, when mere family ambition divides counties, and the great interests of the State are equally secure in the hands of the one or the other party. But the case is widely different when, as at this time, the question is not between rival families in counties or adverse parties in politics, but between contending principles in society ; between the preservation of property and the march of revolution ; between future felicity and unutterable anguish for ourselves and our children. It may be a painful thing to part from an old tradesman because he is of revolutionary principles ; but it is much more painful to see the ruin of our country, and that is the other alternative.

"Come what may, we have discharged our duty to the friends of England by showing the simple and certain means by which the progress of the revolution may be stayed ; if they are neglected and ruin follows, the consequences be on them and on their children."

the green and fertile pastures of Ireland. It is to me, and many others who, like myself, have had the good fortune to live amongst the people of that country, to discover their high qualities and their many virtues, and to know that, under a firm and statesmanlike Government, immense prosperity must have been their lot, as it is their due—it is, I say, appalling to reflect that all this promise has for a time been blotted out, all progress arrested, and all industry thrown back by one reckless and wanton act on the part of a Government who, at the outset of their career, and in the heyday of their youth and of their strength, knew no higher object and had no nobler aim than to obtain at any cost a momentary and apparent advantage over their opponents." (*Life of Lord Randolph Churchill*, by Winston L. S. Churchill.)

APPENDIX LXXVIII

(See Chapter XV, p. 384)

VARIOUS COERCION ACTS, ARMS ACTS, AND OTHER ACTS
FOR THE PRESERVATION OF THE PUBLIC PEACE
PASSED FOR IRELAND DURING THE NINETEENTH
CENTURY.

(Exclusive of Acts passed in respect of party processions.)

1801	41 Geo. III., c. 61	...	Suppression of Rebellion.
1801	41 Geo. III., c. 104	...	Suppression of Rebellion.
1802-3	43 Geo. III., c. 116	...	Habeas Corpus Suspension.
1802-3	43 Geo. III., c. 117	...	Suppression of Rebellion.
1803-4	44 Geo. III., c. 8	...	Habeas Corpus Suspension.
1803-4	44 Geo. III., c. 9	...	Suppression of Rebellion.
1803-4	44 Geo. III., c. 90	...	Peace Preservation.
1805	45 Geo. III., c. 4	...	Habeas Corpus Suspension.
1806-7	47 Geo. III., Sess. 1, c. 8	...	Arms and Gunpowder.
1807	47 Geo. III., Sess. 2, c. 54	...	Possession of Arms.
1810	50 Geo. III., c. 109	...	Arms.
1812	52 Geo. III., c. 91	...	Peace Preservation.
1812-13	53 Geo. III., c. 78	...	Arms.
1813-14	54 Geo. III., c. 33	...	Peace Preservation.
1813-14	54 Geo. III., c. 180	...	Unlawful Combinations.
1813-14	54 Geo. III., c. 181	...	Assaults.
1814-15	55 Geo. III., c. 88	...	Assaults.
1817	57 Geo. III., c. 50	...	Peace Preservation.
1820	1 Geo. IV., c. 47	...	Arms.
1821	3 Geo. IV., c. 4	...	Arms.
1823	4 Geo. IV., c. 14	...	Arms.
1823	4 Geo. IV., c. 58	...	Insurrections, etc.
1824	5 Geo. IV., c. 105	...	Insurrections, etc.
1829	10 Geo. IV., c. 1	...	Dangerous Assemblies.
1830	11 Geo. IV., c. 44	...	Arms.
1831	1 and 2 Will. IV., c. 47	...	Arms.
1831-2	2 and 3 Will. IV., c. 70	...	Arms.
1833	3 and 4 Will. IV., c. 4	...	Local Disturbances, etc.
1835	5 and 6 Will. IV., c. 48	...	Peace Preservation.
1836	6 and 7 Will. IV., c. 39	...	Arms and Gunpowder.
1837-8	1 and 2 Vict., c. 71	...	Arms and Gunpowder.

1839	2 and 3 Vict., c. 74...	...	Unlawful Societies.
1839	2 and 3 Vict., c. 77...	...	Assaults.
1841	4 and 5 Vict., c. 25...	...	Importation of Arms.
1843	6 and 7 Vict., c. 23...	...	Assaults.
1847-8	11 and 12 Vict., c. 2	...	Prevention of Crime.
1847-8	11 and 12 Vict., c. 35	...	Habeas Corpus Suspension.
1847-8	11 and 12 Vict., c. 89	...	Unlawful Combinations.
1849	12 and 13 Vict., c. 2	...	Habeas Corpus Suspension.
1849	12 and 13 Vict., c. 38	...	Assaults.
1850	13 and 14 Vict., c. 106	...	Crime and Outrage.
1852	15 and 16 Vict., c. 66	...	Crime and Outrage.
1852-3	16 and 17 Vict., c. 72	...	Crime and Outrage.
1854	17 and 18 Vict., c. 92	...	Crime and Outrage.
1854-5	18 and 19 Vict., c. 112	...	Crime and Outrage.
1856	19 and 20 Vict., c. 36	...	Peace Preservation.
1857-8	21 and 22 Vict., c. 28	...	Peace Preservation.
1860	23 and 24 Vict., c. 138	...	Peace Preservation.
1862	25 and 26 Vict., c. 24	...	Peace Preservation.
1865	28 and 29 Vict., c. 118	...	Peace Preservation.
1866	29 and 30 Vict., c. 119	...	Habeas Corpus Suspension.
1867	30 and 31 Vict., c. 1	...	Habeas Corpus Suspension.
1867	30 and 31 Vict., c. 25	...	Habeas Corpus Suspension.
1870	33 and 34 Vict., c. 9	...	Peace Preservation.
1873	36 and 37 Vict., c. 24	...	Peace Preservation.
1875	38 and 39 Vict., c. 14	...	Peace Preservation.
1882	45 and 46 Vict., c. 25	...	Prevention of Crime.
1883	46 and 47 Vict., c. 12	...	Prevention of Crime.
1887	50 and 51 Vict., c. 20	...	Arms 1. Conspiracy; Criminal Procedure 1. Intimidation 1. Personal Injury, Proclaimed District 1. Riot 1. Summary Proceedings 1. Etc., etc.

APPENDIX LXXVIII A

(See Chapter XV, p. 385)

THE origin of the Ladies' Land League was explained by Miss Anna Parnell in a speech on April 2, 1881—

"The resolutions passed hereto to-day describe this Ladies' Land League as being jointly my work and that of Michael Davitt. Now it was wholly his work. I did not have anything to say to it until it was done. We did not put our heads together about it. Mr. Davitt settled it all in his own mind, and he then informed the world that I was going to do it, to carry his ideas out, and he never asked my consent at all. I am glad now that he did not, because I might have hesitated; but now I see that he was right, and this Ladies' Land League was the proper thing to form in the crisis at which we have arrived. I think that certain people in Dublin Castle have the same opinion, because I observe that, of all those that have been arrested, it is the special friends of the Ladies' Land League who have been pounced upon. Michael Davitt was the first."

Eventually, however, the Ladies' Land League was practically suppressed by Parnell himself.

APPENDIX LXXVIII_B

(See Chapter XV, p. 385)

THE answer to the attack by T. W. Croke, Archbishop of Cashel, was contained in a letter of March 17, 1881, to A. M. Sullivan, M.P., the husband of a member of the Ladies' Land League—

"Dear Mr. Sullivan,

"I congratulate you very heartily on your timely and, under the peculiarly provoking circumstances, very temperate and withal touching letter that appears over your name in this day's *Freeman*.

"I adopt, unreservedly, the sentiments you have so admirably expressed, and am delighted to find that some one of mark has at last stepped forward from the ranks of the laity to vindicate the character of the good Irish ladies who have become Land Leaguers, and to challenge publicly the monstrous imputations cast upon them by the Archbishop of Dublin.

"His Grace will not be allowed in future, I apprehend, to use his lance so freely as he has hitherto done, or to ventilate unquestioned the peculiar political theories which he is known to hold in opposition to the cherished convictions of a great, and indeed overwhelming majority of the Irish priests and people.

"It is a satisfaction, however, to feel that his Grace's political likings and dislikings, though possibly of some consequence elsewhere, carry with them very little weight or significance, except with a select few, in Ireland.

"Your very faithful servant,

"T. W. CROKE,

"Archbishop of Cashel."

APPENDIX LXXIX

(See Chapter XV, p. 386)

THE Irish Commissioners on the Commission wrote—

"We find in many, and especially large estates, the rents are moderate and seldom raised, and the improvements of the tenants are respected; but we are satisfied that a large proportion of the occupiers of land are very differently situated, living in fear of an increased demand of rent upon signs of increased ability to pay, and sometimes subjected to rents which do not admit of hopeful industry, and make contentment impossible. This state of things is found in its worst form upon the poorer tillage lands, upon those which have come into the hands of new owners since the famines of 1846 and 1847, and down to the present time."

The Assistant-Commissioners on the supplemental Irish Commission reported—

"We have already visited hundreds of these farms (principally on the western seaboard), and found the occupants of a large number of them in so deplorable a condition that we feel unable to describe it in a way which would enable his Grace to realize it fully. Over and over again we found the dwellings to contain only one apartment, in which were frequently housed cattle or pigs, and sometimes both. . . . While the agricultural depression has seriously affected every class in Ireland, it has told with terrific effect on the small farmers now under consideration, and, if possible, still more terrifically on a numerous class in Ireland who live partly by the cultivation of small holdings and partly by farm labour. . . . Finding so many of the small farmers of the South and West steeped in debt, misery and poverty,

while their lands are undrained and neglected, we asked why they did not adopt better systems of farming. Thousands upon thousands of them could easily double their incomes by the exercise of skill; we have travelled through entire districts without seeing any men at work in the digging of the ground, before the winter's frost, or in preparing the land as it ought to be prepared at this season for the coming crops. But the answer to our appeals on both matters was the same; it affords evidence of a conviction which is deeply engraved on the minds of this class, namely, that if they made improvements the rents would be immediately raised in consequence of those improvements. Now, whatever view be taken of this subject, the feeling remains all the same in the minds of these small farmers, and it is strongest in the most backward and most densely populated districts and on the estates of land-jobbers and in those of a few absentees and other landlords who do not take the necessary personal interest in the management of their properties. This feeling would appear to have crushed all spirit of progress and improvement out of the minds of these poor people. In the whole range of the heads of our inquiry this is the most delicate and difficult subject. It is as significant as it is suggestive that several large landed proprietors in different parts of the country have drawn our attention to the existence of this feeling, and made to us statements which, if true, would fully justify it. . . . On many of the great estates the tenants are permitted to dispose of their interest freely, subject to the purchasers being approved by the landlords. On certain estates, for example, in Donegal, whenever a sale takes place the landlord increases the rent of the new tenant 25 per cent. On visiting a small farm on one of these estates in the south-west of the county, the tenant complained to us that he and others had been subjected to several increases of rent at short intervals. We give the facts as proved by the receipts he handed to us. In 1851 and 1852 the rent was £4 13s. 0d. In 1853 it was raised to £6 4s. 0d. The receipts for some years are missing, but in 1860 the rent was £6 10s. 6d. In 1861 it was raised to £7 15s. 0d. In 1862, 1863, and 1864 it was £9. In 1865 it was £10 15s. 4d. In 1866 and 1867 it was £11 2s. 8d. In 1868 it was £11 17s. 11d.; and in 1869 £12 13s. 2d. We saw the agent, who stated that in 1867 a valuator went over the estate with a view of readjusting the rents, and that this gentleman valued the holding at £12 13s. 2d., and that the rent was raised by a series of increments, as shown in the receipts. This explanation was never given to the tenant. We devoted an entire day to an examination of this estate. The agent told us that he had been able to collect very little of this year's rent, and he expressed his belief that the greater number of the tenants are wholly unable to pay it. The tenants on this estate whom we have visited are, like many of those in other localities, in a deplorable state. They are steeped in debt and their credit is gone."

APPENDIX LXXX

(See Chapter XV, p. 387)

THUS the Commissioners in their main report said—

"The full bearing of these observations will not be appreciated unless it be remembered that, in nearly all cases of dispute between tenant and landlord, what the aggrieved tenant wants is, not to be compensated for the loss of his farm, but to be continued in its occupancy at a fair rent. This, as the law now stands, he cannot have, and in order to raise a question before the Court he is forced to begin by a surrender of the only thing for which he really cares. The plaintiff in a land claim, if he fails to prove his case, is turned out without the compensation that he claimed; but, if he proves it

he is turned out all the same. Even the chance that he might, by consent of the landlord, be allowed to continue in possession at the higher rent, the demand of which in many cases has been the sole cause of the suit, and his refusal to pay which has led to the service of the notice to quit upon him, is lessened by the bitterness naturally engendered in a contest at law between himself and his landlord. The Act was intended to confer security upon tenants, and has to some extent succeeded in so doing; but it has in this respect introduced a new element of insecurity. It has converted ordinary disputes over the amount of rent, and over a tenant's dealing with his holding, into one-sided wagers of battle where the prize at stake is in all cases first adjudged to the landlord, and the tenant, if successful, is obliged to put up with a substitute. In a word, once a tenant comes into court, all the law can give him is compensation in money. The very fact of his making a claim at all presupposes that he is to leave the land. It is obvious that a statute of this description, the utmost scope of which is to give compensation for the loss of a valuable interest, but no right to be protected in its enjoyment, or to have it restored when it has been taken away, fails to afford protection, on the usual lines, to the tenant's interest in his holding, if that interest be considered as a genuine proprietary right; and at the same time it is hard to see on what grounds such legislation is to be justified, if the existence of any proprietary right in the tenant is denied. However useful as a temporary measure at a traditional period, it appears to us that the Land Act contained in itself the seeds of failure as a permanent settlement. As such, now that it has been fairly tried, it is impossible to resist the conclusion that it has failed to give satisfaction to either party."

APPENDIX LXXXA

(See Chapter XV, p. 391)

W. E. H. LECKY says of this Act in *Democracy and Liberty*—

"The Act of 1881 appears to me one of the most unquestionable, and indeed extreme, violations of the rights of property in the whole history of English legislation;" and again—"If the terms 'honesty' and 'dishonesty' apply to the acts of Parliaments or Governments as truly as to individuals, it was distinctly and grossly dishonest. . . . Nor is there, I believe, anything in the legislation of the great European countries that is parallel to it. It has been described by one of the best continental writers upon government (Laveleye) as an attack on the principle of property more radical than any measure of the French Revolution, or even of the Reign of Terror. It is, indeed, much less like ordinary legislation than like extraordinary legislation of the nature of Acts of attainder or confiscation. There is, it is true, one material difference. Acts of attainder are usually passed for the purpose of confiscating the property of men who have been guilty of treason or rebellion. As the Parnell Commission abundantly showed the true crime of the Irish landlords was their loyalty. It was for the avowed purpose of ruining and driving from the country 'the English garrison' that the Fenian party organized the agrarian agitation that led to the legislation of 1881."

APPENDIX LXXXB

(See Chapter XV, p. 392)

JOHN MORLEY wrote of the Land Act of 1881 in the third volume of his *Life of Gladstone*—

"The legislation of 1881 no doubt encountered angry criticism from the English Conservative, and little more than frigid approval from the Irish

Nationalist. It offended the fundamental principle of the landlords; its administration and the construction of some of its leading provisions by the Courts disappointed and irritated the tenant party. Nevertheless any attempt in later times to impair the authority of the Land Act of 1881 brought the fact instantly to light, that the tenant knew it to be the fundamental charter of his redemption from worse than Egyptian bondage. In measuring this great agrarian law, not only by parliamentary force and legislative skill and power, but by the vast and abiding depth of its social results, both direct and still more indirect, many will be disposed to give it the highest place among Mr. Gladstone's achievements as lawmaker."

APPENDIX LXXXI

(See Chapter XV, p. 398)

BETWEEN August 1881 and August 1882, 75,807 applications were made to the Land Commission Courts to fix fair rents in the four provinces of Ulster, Leinster, Munster, and Connaught, out of which 11,929 judicial rents were actually fixed, the amount of the old rent being £316,111 18s. and that of the new judicial rent £251,158 9s. 6½d. The County Courts also fixed during the same period 1,455 judicial rents, the old rents amounting to £22,673 15s. 6½d., and the new judicial rents to £17,676 11s. 10d. During the three years ending the 21st of August, 1884, the total number of cases in which fair rents were fixed by the Land Courts amounted to 70,127, the rental having been reduced, in round numbers, from £1,407,465 to £1,133,174, or 19·4 per cent. Within the same period fair rents were fixed by the County Courts in 6,387 cases, the rental having been reduced from £96,121 to £75,849, or 21 per cent. Besides these there were 66,815 cases in which the rents were fixed by agreement between landlord and tenant under the authority of the Land Courts, the rental being reduced from £1,139,453 to £994,451, or 17·1 per cent.; 5,759 cases in which rents were fixed in the same manner under the authority of the County Courts, the rental being reduced from £97,316 to £80,317, or 17·4 per cent.; 339 cases in which rents were fixed by valuers under the authority of the Land Courts, with a reduction of rental from £9,033 to £8,091, or 10·4 per cent.; and twelve cases in which rents were fixed by arbitration, the rental being reduced from £908 to £660, or 27·2 per cent. That is to say, the rental of the whole country was reduced during those three years by about 20 per cent. The average reduction of rent for the year 1885-1886 was 24 per cent.; and that for 1886-1887, 31·1 per cent., which, considering the reductions that had already taken place, was a significant comment upon the past history of Irish tenancy.

APPENDIX LXXXIA

(See Chapter XVI, p. 400)

GLADSTONE said—

"He desires to arrest the operation of the Land Act; to stand as Moses stood between the living and the dead; to stand there not as Moses stood, to arrest, but to spread the plague. If it shall appear that there is still to be fought a final conflict in Ireland between law on the one side and sheer lawlessness upon the other, if the law purged from defect and from any taint of injustice is still to be repelled and refused, and the first conditions of political society to remain unfulfilled, then I say, gentlemen, without hesitation, the resources of civilization against its enemies are not yet exhausted."

APPENDIX LXXXIb

(See Chapter XVI, p. 404)

ON the discrimination and knowledge of human nature evinced by Forster in his manipulation of the weapon of coercion the *Annual Register* thus commented—

"It reads like the grimmest of satires upon his term of office to know that at a time when the jails were choking with the number of Mr. Forster's 'suspects'; when according to his own belief, he had every dangerous man in the island under lock and key, his own life was in incessant danger at the hands of men of whose existence and purposes he was guilelessly unaware. Only a succession of chances, that read almost like providential miracles, saved him, time after time, from men whom a word of his, or a stroke of his pen, could at any moment have clapped in safe keeping, had he the slightest suspicion of their existence. The law gave him the power to arrest on suspicion, but he had no suspicion of the only body of men whose plans were really dangerous, whose actions were really deadly."

Eight hundred and seventy-two land-leaguers were imprisoned by Forster as "suspects," and two hundred and eleven on the charge of suspicion of having been engaged in "nocturnal attacks"—viz., 1083 in all. Between October 1881 and May 1882 the Land League spent about £70,000 in grants to the "suspects" and evicted tenants and the erection of huts for evicted families.

APPENDIX LXXXII

(See Chapter XVI, p. 404)

THE address was as follows—

"On the eve of what seemed a bright future for our country, that evil destiny which has apparently pursued us for centuries has struck another blow at our hopes, which cannot be exaggerated in its disastrous consequences. In this hour of sorrowful gloom we venture to give an expression of our profoundest sympathy with the people of Ireland, in the calamity that has befallen our cause, through a horrible deed, and to those who had determined at the last hour that a policy of conciliation should supplant that of terrorism and national distrust. We earnestly hope that the attitude and the action of the whole Irish people will show the world that assassination such as has startled us almost to the abandonment of hope for our country's future, is deeply and religiously abhorrent to their every feeling and instinct.

"We appeal to you to show by every manner of expression that amidst the universal feeling of horror which this assassination has excited, no people feels so intense a detestation of its atrocity, or so deep a sympathy for those whose hearts must be seared by it, as the nation upon whose prospects and reviving hopes it may entail consequences more ruinous than have fallen to the lot of unhappy Ireland during the present generation. We feel that no act has ever been perpetrated in our country during the exciting struggles for social and political rights of the past fifty years, that has so stained the name of hospitable Ireland as this cowardly and unprovoked assassination of a friendly stranger, and that until the murderers of Lord Frederick Cavendish and Mr. Burke are brought to justice, that stain will sully our country's name."

APPENDIX LXXXIII

(See Chapter XVI, p. 406)

CHIEF BARON PALLAS speaking of these ejections said, according to the *Times* report of the 8th of December, 1887—

“What would have been the result of granting a reasonable reduction? It would have avoided eviction from their little homes, it would have avoided the unfortunate and painful prosecution of these unhappy tenants. He was not sure, having regard to the circumstances disclosed in the hearing of this case, that Lord Clanricarde was in the habit of looking at the affairs of mankind as other people did. It appeared to him that Lord Clanricarde took a more exaggerated view of his own rights than other people, and perhaps took a more erroneous view than others did of the moral though not legal duty arising between himself and his tenants. What did happen upon this estate? There had occurred that which had aroused the indignation of the Empire, or a great deal of it. It was such that the Chief Secretary (Sir Michael Hicks-Beach) had intervened, and gone so far as to refuse the forces of the Crown the forces of the law, when by law he was bound to supply those forces in order to carry out the behests of Lord Clanricarde. The responsible officer of the Crown had refused the forces of the Crown unless Lord Clanricarde, who had refused the supplications of the tenants and of their pastors, consented to give an abatement such as other landlords gave.”

Many of the Irish landlords had themselves to thank. Could they expect to live in peace, when they constrained others to live in misery? Sir George Trevelyan stated in the House of Commons on May 22, 1882—

“At this moment, in one part of the country, men are being turned out of their houses, actually by battalions, who are no more able to pay the arrears of these bad years, than they are to pay the National Debt. . . . In three days one hundred and fifty families, numbering seven hundred and fifty persons, were turned out in one district alone. . . . They were not whisky-drinkers, they were not in terror of the Land League. . . . I am told that in this district there are thousands in this position—people who have been beggared for years, people who have been utterly unable to hold up their heads since these bad years, and whose only resource from expulsion from their homes is the village money-lender.”

And on May 24 Gladstone said—

“Eviction is the exercise of a legal right, which may be to the prejudice of your neighbour, which may involve the highest responsibility, nay, even deep moral guilt. There may be outrages which—all things considered, the persons and the facts—may be less guilty in the sight of God than evictions.”

APPENDIX LXXXIV

(See Chapter XVI, p. 407)

JOHN MORLEY in his *Life of Gladstone*, writes of the state of Ireland at this time—

“I once asked an Irishman of consummate experience and equitable mind, with no leanings that I know of to political nationalism, whether the task of any later ruler of Ireland was comparable to Lord Spencer's. ‘Assuredly not’ he replied; ‘in 1882 Ireland seemed to be literally a society on the eve of dissolution. The Invincibles still roved with knives about the streets of Dublin. Discontent had been stirred in the ranks of the Royal

Irish Constabulary, and a dangerous mutiny broke out in the Metropolitan force. Over half of the country the demoralization of every class, the terror, the fierce hatred, the universal distrust, had grown to an incredible pitch. The moral cowardice of what ought to have been the governing class was astounding. The landlords would hold meetings and agree not to go beyond a certain abatement, and then they would go individually, and privately offer to the tenant a greater abatement. Even the agents of the law and the Courts were shaken in their duty. The power of random arrest and detention under the Coercion Act of 1881 had not improved the *morale* of magistrates and police. The sheriff would let the word get out that he was coming to make a seizure, and profess surprise that the cattle had vanished. . . ."

APPENDIX LXXXV

(See Chapter XVI, p. 407)

The Programme was as follows—

Resolved : That an Association be formed to attain for the Irish people the following objects—

- (1) National Self-Government.
- (2) Land Law Reform.
- (3) Local Self-Government.
- (4) Extension of the Parliamentary and Municipal Franchises.
- (5) The development and encouragement of the Labour and Industrial Interests of Ireland.

That this Association be called "The Irish National League."

That the objects of the League be defined as follows—

ARTICLE I

The restitution to the Irish people of the right to manage their own affairs in a Parliament elected by the people of Ireland.

ARTICLE II

(a) The creation of an occupying ownership or Peasant Proprietary by an amendment of the Purchase Clauses of the Land Act of 1881, so as to secure the advance by the State of the whole purchase-money, and the extension of the period of repayment over sixty-three years.

(b) The transfer by compulsory purchase to county boards of land not cultivated by the owners, and not in the occupation of tenants, for a re-sale or re-letting to labourers and small farmers, in plots of grazing commonages.

(c) The protection from the imposition of rent on improvements made by the tenant or his predecessors in title, to be effected by an amendment of the Healy clause in the Land Act of 1881.

(d) The admission of leaseholders and other excluded classes to all the benefits of the Land Act, with the further amendments thereof included in the Land Law (Ireland) Act Amendment Bill of Mr. Redmond.

ARTICLE III

(a) The creation of county boards, and the transfer thereto of the fiscal and administrative powers of grand juries.

(b) The abolition of the principle of nomination by Government to membership of the following boards—

The Local Government Board ;
 The Board of Works ;
 The General Valuation and Boundary Survey ;
 The Board of National Education ;
 The Reformatory and Industrial Schools Boards ;
 The Prisons Board ;
 The Fishery Board ;

And the transfer of their powers to representatives elected by county boards.

(c) The transfer to county boards of the management of union workhouses, lunatic asylums, and other institutions supported by local rates.

(d) The substitution of local for Imperial control in the appointment and management of the police.

(e) The extension to county boards of the power to nominate county sheriffs, as at present exercised by municipalities in the case of city sheriffs.

(f) The vesting in county boards of the right of nominating magistrates now enjoyed by Lord-Lieutenants of counties.

(g) The abolition of the office of Lord-Lieutenant of Ireland.

ARTICLE IV

(a) The extension and assimilation of the Irish Parliamentary and Municipal franchises to those of England.

(b) The adoption of the English system in the registration of voters.

(c) The securing that any measure of popular enfranchisement introduced for Great Britain shall also be extended to Ireland.

ARTICLE V

Separate legislation to elevate the condition of agricultural labourers to secure—

(a) The providing of labourers' dwellings, with half-acre allotments in the proportion of one to every £25 valuation in the case of all holdings, pastoral or agricultural.

(b) The abolition of payment of poor rate in respect of labourers' dwellings.

(c) The repeal of the quarter-acre clause, so as to entitle labourers to out-door relief during illness. Co-operation in the movement for fostering Irish industries by the appointment, in connection with each branch of the organization, of an Industrial Committee, on which manufacturers, shopkeepers, artisans, and farmers shall have proportional representation, and the functions of which shall be—

(i) To encourage the use and sale of Irish products.

(ii) To co-operate with the National Exhibition Company in securing the genuineness of articles offered for sale as Irish manufacture, and in the organization of local exhibitions from time to time.

(iii) To obtain scientific reports of the industrial capacities of their various districts, and stimulate the establishment of local manufacturing and cottage industries.

RULES

The Irish National League shall consist of Branches and Central Council.

The Council shall consist of thirty members, twenty to be elected by County Conventions, and ten by the Irish Parliamentary Party. The branches in each county shall send delegates to an annual County Convention, and each delegate shall cast his vote for the candidate nominated to the Central Council, in manner provided by the rules. Members of Parliament shall be ineligible for election to the Council by a County Convention.

The branches to be organized, rules framed, and the method of nomination and election to the Council settled by an Organizing Committee.

The Organizing Committee shall consist of five members of the Mansion House Committee for the Relief of Evicted Tenants, five members of the Executive of the Labour and Industrial Union, five members of the Council of the Home Rule League, and fifteen other gentlemen.

The Organizing Committee shall have all the powers of a Central Council, until the Council is elected, and no longer.

THE IRISH NATIONAL LEAGUE

RULES FOR BRANCHES

I.—Branches may be formed in parishes in the country, and in wards in the cities and towns, and there shall not be more than one branch in any parish or ward, unless with the sanction of the Central Council.

II.—Each branch shall be governed by a Committee, which shall be elected annually, and shall consist of a president, treasurer, secretary, and six other members.

III.—The annual subscription shall be at the rate of one shilling for every £5 valuation, and in no case shall it be less than one shilling or more than £1.

IV.—The Treasurer of each branch shall forward seventy-five per cent. of all subscriptions received, and the Secretary shall forward a monthly report of the condition of his branch, and such other information as the Central Council may desire.

V.—The branches shall elect delegates to an annual country convention as follows—

Branches of one hundred members or under, one delegate, and one for every additional hundred members, but no branch shall be entitled to send more than five delegates.

VI.—Credential cards for the delegates to county conventions shall be forwarded to each branch by the Central Council.

VII.—All elections shall be by ballot.

(See Sir Charles Russell's *Speech*, published 1889.)

APPENDIX LXXXVI

(See Chapter XVI, p. 407)

THE letter was as follows—

“Address of the Irish National League to the people of Ireland.

“Fellow Countrymen,—As the Organizing Committee entrusted by the National Conference with the preliminary arrangements for the organizing of the Irish National League, we have the honour of submitting to you the accompanying rules for the formation and guidance of branches. It is desirable that no time should be wasted in putting the resolutions of the conference in force. The necessity of close organization, for the purpose of concentrating and giving a definite direction to the national energies, is universally felt. It has been forced upon public attention by the encroachments upon popular rights, which have been going on in all directions since the power of union among the people was relaxed. The landlord combination for the purpose of breaking the spirit of the Irish tenant, the dismay which the present scale of judicial rents has created amongst applicants to the Land Courts, and the confiscation of tenants' property that is being effected wherever disorganization has crept in, render it more necessary now than ever that the Irish tenantry should be reunited in vigilant and lawful association, for the purpose of protecting themselves from injustice, and for

seeking that full measure of land law reform which alone can secure them against the perils of halting legislation. From the farming classes the desire for organized effort has extended to the labourers, whose miserable condition has been so long disregarded, and to the artisans, who see in the spirit worked by a great national combination a power which can nourish our decaying native industries with millions of money now annually drained away into foreign markets.

"With all these incentives to organization, the Irish National League unites a programme of social and political reform which will gradually transfer all local power and patronage from privileged strangers into the hands of the people, and so fortify them for the work of National Self-Government, which is the inspiration of all our struggles. The National conference has with the most hearty unanimity embodied these principles in the programme of the Irish National League. It remains for you now, in your various districts, to give immediate and practical effect to these resolutions, so that from the formation of local branches, the League may be able to proceed to the election for the Central Council, and may be able to offer to every section of the Irish people the power and protection which organization and discipline alone can ensure.

"Charles S. Parnell, *Chairman*.

Joseph G. Biggar, }
W. F. Molony, } *Treasurers*.

T. M. Healey, }
T. Harrington, } *Hon. Secs.*

Organizing Committee :

C. Dawson,
T. D. Sullivan,
J. E. Redmond,
E. Leamy,
T. Sexton,
Michael Davitt,
William O'Brien,

Matt. Harris,
Judge Little,
A. Shackleton,
George Delaney,
Thomas Mayne,
J. J. Clancy,
D. J. Hishon,

David Sheehy,
Louis Smith,
W. Abraham,
John O'Connor,
J. Cardiff,
R. Lawlor."

(See Sir Charles Russell's *Speech*, published 1889.)

APPENDIX LXXXVIA

(See Chapter XVI, p. 407)

MICHAEL DAVITT in his *Fall of Feudalism in Ireland* sums up the result of the establishment of the *Irish National League*—

"The outcome of the Conference of October 1882 was the complete eclipse, by a purely Parliamentary substitute, of what had been a semi-revolutionary organization. It was, in a sense, the overthrow of a movement and the enthronement of a man ; the replacing of nationalism by Parnellism ; the investing of the fortunes and guidance of the agitation, both for national self-government and land reform, in a leader's nominal dictatorship.

"I do not know who first invented the term 'Parnellism.' It was either Mr. T. M. Healy or Mr. T. P. O'Connor, and it came significantly into vogue about this time. It triumphed completely in the constitution of the governing body of the National League. This body was made almost exclusively pro-Parnellite, as against the extreme men who had worked loyally with Mr. Parnell in the Land League, but who were not prepared to look upon the name Parnellite as a substitute for Nationalist, either in practice or principle, or to invest him, or any individual, with arbitrary power. . . .

"It was not Mr. Parnell who built up the name and legend of 'Parnellism,' or claimed or declared his own dictatorship, but Mr. T. M. Healy, Mr.

T. P. O'Connor, Mr. James O'Kelly, Mr. William O'Brien in *United Ireland*, and Mr. Thomas Sexton. In fact, I always found Mr. Parnell far less Parnellite, in the anti-extreme sense, and infinitely less intolerant, in matters of principle and policy, than his brilliant young lieutenants."

APPENDIX LXXXVII

(See Chapter XVI, p. 408)

THE following extract from the letter demonstrates this—

"If, as is alleged in some interviews I have seen reported from America, dynamite is now preached as an only remedy for our political salvation because the moral remedies of speech and open combination of the last four years have not succeeded in fully accomplishing the programme of the Land League, then the argument is as childish as the would-be amended plan of action is asinine in its sheer stupidity. Systems that have had a growth of centuries, and are still resting upon the physical force of an immense empire, could not reasonably be expected to surrender to even the power of the Land League in so brief a struggle; and the importance which overlooks this fact, and proposes now the adoption of totally opposite media to that by which substantial progress has been made in a comparatively short period of time, betrays that want of steady undeviating perseverance on a slow but winning line of action that has been so unfortunately characteristic of all past movements.

"If no other argument could be adduced against a policy of violence than that of the manifest injury which has resulted from the outrages that have occurred from February 1881 to the 6th of May 1882, here in Ireland, surely that should be more than sufficient to show to the most obtuse understanding how disastrously it must inevitably work to the very cause that is now proposed to be served by an extension of its application. I have maintained, on fifty platforms in Great Britain and America, since my release from Portland, that to outrage, and outrage alone, was due the defeat and partial collapse of the Land League, and the consequent escape of landlordism—for a time—from the demoralizing antagonism of a new kind of organized opposition that would have soon compelled the Irish landlords to surrender to the people.

"Mr. Forster has acknowledged this in language that should be committed to memory by every Irishman who means to continue in Irish politics. In his ferocious attack upon Mr. Parnell, the ex-Chief Secretary made use of these remarkable expressions: 'I believe that if these terrible murders had not happened—that if there had been no other immediate outbreak somewhat similar to these (the Phoenix Park) murders—Ireland would have speedily become almost ungovernable. The people of Ireland would have thought that in fact the honourable member for Cork was governing Ireland.'

"If, then, the result of violence in Ireland has been to cripple the power of the Land League, and to place coercion in the ascendant, what must be the logical outcome of a policy of violence in England?

"It could have but one consequence, and one only—the complete destruction of the national movement for a generation. Any act or series of acts done in England in the name of Ireland, that would cause the entire population to become *solidaire* with the Government in retaliating politically for the wanton destruction of innocent people, would do more towards withholding self-government from us than a dozen of Coercion Acts like that now in force.

"Those who do not wish to see the movement of the past four years

completely ruined had better address a simple, but a very pertinent question, to those who are now advocating the dynamite policy, namely—By what authority does a handful of men in New York arrogate to themselves the right of initiating such a policy, presumably in the interest of the Irish race, when ninety-nine out of every one hundred of our people throughout the world are opposed to the use of such an agency upon every ground, moral, religious, national, expedient and political? Surely seven millions of us residing in Ireland and Great Britain are not going to stand this, to see a movement ruined which has been sanctioned by the entire Celtic race, and the lives of our kindred in England jeopardized, because a small group of men are growing tired of the struggle for independence through reform, and are desirous of striking at England for revenge. Those who fight only for revenge should be the ministers of their own principles, and face the consequences of their application, and not incite others to the doing of acts which the instigators shrink from performing. Those in America who differ from our *modus operandi* in the work we are carrying on for the country, have no shadow of a right to fling athwart the course of our movement, now in deadly grips with the Government, an independent line of action, which is as certain to paralyze all our efforts for Ireland as it will be a failure to cause any permanent injury to England; and this, I predict, will be the opinion voiced by the Convention.” (See Sir Charles Russell’s *Speech*.)

APPENDIX LXXXVIII

(See Chapter XVI, p. 422)

ON the 10th of December he had written in the same strain to his son, Herbert Gladstone, as may be read in John Morley’s *Life of Gladstone*—

“The Nationalists have run in political alliance with the Tories for years—more especially for six months—most of all at the close during the elections, when they have made us 335 (say) against 250 (Conservatives), instead of 355 against 230. This alliance is therefore at its zenith. The question of Irish Government ought for the highest reasons to be settled at once, and settled by the allied forces—(1) because they have the government; (2) because their measure will have fair play from all, most, or many of us, which a measure of ours would not have from the Tories. As the allied forces are half the House so that there is not a majority against them, no constitutional principle is violated by allowing the present Cabinet to continue undisturbed for the purpose in view. The plan for Ireland ought to be produced by the Government of the day. Principles may be laid down by others, but not the detailed interpretation of them in a measure. I have publicly declared I produce no plan until the Government has arrived at some issue with the Irish, as I hope they will. If the moment ever came when a plan had to be considered with a view to production on behalf of the Liberal party, I do not at present see how such a question could be disassociated from another vital question—namely, who are to be the Government. For a Government alone can carry a measure, though some outline of essentials might be put out in a motion or resolution.”

APPENDIX LXXXIX

(See Chapter XVI, p. 424)

It was constituted on the following principles—

“(1) This association is formed for the purpose of obtaining for Ireland the right of self-government by means of a national Parliament. (2) It is

hereby declared as the essential principle of this association, that the objects and the only objects, contemplated by its organization are : to obtain for our country the right and privilege of managing our own affairs, by a Parliament assembled in Ireland composed of Her Majesty the Sovereign and her successors, and the Lords and Commons of Ireland. To secure for that Parliament, under a federal arrangement, the right of legislating for and regulating all matters relating to the internal affairs of Ireland, and control over Irish resources and revenues, subject to the obligation of contributing our just proportion of the Imperial Exchequer. To leave to an Imperial Parliament the power of dealing with all questions affecting the Imperial Crown and Government, legislation regarding the colonies and other dependencies of the Crown, the relations of the United Empire with foreign States, and all matters appertaining to the defence and the stability of the Empire at large. To attain such an adjustment of the relations between the two countries without any interference with the prerogatives of the Crown, or any disturbance of the principles of the Constitution ; and (3) the Association invites the co-operation of all Irishmen who are willing to join in seeking for Ireland a federal arrangement based upon these general principles. (4) The Association will endeavour to forward the object it has in view by using all legitimate means of influencing public sentiment both in Ireland and Great Britain, by taking all opportunities of instructing and informing public opinion, and by seeking to unite Irishmen of all creeds and classes in one national movement in support of the great national object hereby contemplated. (5) It is declared to be an essential principle of the Association that, while every member is understood by joining it to concur in its general object and plan of action, no person so joining is committed to any political opinion except the advisability of seeking for Ireland the amount of self-government contemplated as the object of the Association."

APPENDIX XC

(See Chapter XVI, p. 427)

THERE was a strong case for some alteration in the spirit of Irish government. Sir Robert Giffen wrote in the *Nineteenth Century* for March 1866—

"We grow a new people in Great Britain, equal to the whole disaffected parts of Ireland at the present time, every ten years. In a few generations, at this rate, Ireland must become, relatively to Great Britain, very little more than a somewhat larger Isle of Man or Channel Islands. To let Ireland split partnership would differ in no kind, and comparatively little in degree, as far as business is concerned, from letting the Isle of Man remain a separate state. . . .

"To put the matter shortly and in the roundest figures, Ireland has sunk in population from one-third to less than one-seventh of Great Britain ; in gross income, from two-seventeenths to less than one-seventeenth ; in capital, from a proportion that was material to about one-twenty-fourth only ; in taxable resources, from a proportion that was perhaps about one-tenth to a proportion of only one in fifty. . . .

"The English Government is a loser by Ireland to the extent of about £2,750,000 per annum, although it receives from Ireland over £3,000,000 more revenue than Ireland, on any fair computation, ought to pay. If Ireland only paid a fair contribution for Imperial purposes we (that is, Great Britain) should be out of pocket by this £3,200,000 more, or nearly £6,000,000. Actually, it is beyond question we lose, as a Government, nearly £3,000,000 annually while taxing Ireland over £3,000,000 more than it ought to be taxed."

APPENDIX XCI

(See Chapter XVI, p. 428)

ON the occasion of the debate upon the Bill in the House of Commons, Gladstone said—

"Ireland stands at your bar, expectant, hopeful, almost suppliant. Her words are the words of truth and soberness. She asks a blessed oblivion of the past, and in that oblivion our interest is deeper even than hers. My honourable friend, the member for East Edinburgh, asks us to-night to abide by the traditions of which we are the heirs. What traditions? By the Irish traditions? Go into the length and breadth of the world, ransack the literature of all countries, find, if you can, a single voice, a single book—find, I would almost say, as much as a single newspaper article unless the product of the day, in which the conduct of England towards Ireland is anywhere treated except with profound and bitter condemnation. Are these the traditions by which we are exhorted to stand? No; they are a sad exception to the glory of our country. They are a broad and black blot upon the pages of its history, and what we want to do is to stand by the traditions of which we are the heirs in all matters except our relations with Ireland, and to make our relation with Ireland to conform to the other traditions of our country. So we treat our tradition, so we hail the demand of Ireland for what I call a blessed oblivion of the past. She asks also a boon for the future, and that boon for the future, unless we are much mistaken, will be a boon to us in respect of honour, no less than a boon to her in respect of happiness, prosperity and peace. Such, sir, is her prayer. Think, I beseech you, think well, think wisely, not for the moment, but for the years that are to come, before you reject this Bill."

APPENDIX XCIA

(See Chapter XVI, p. 430)

THAT something ought to be done, and done quickly, was evident to the meanest understanding. On an amendment to the Address by Parnell on the opening of the new Parliament, Joseph Chamberlain had said—

"We have to deal in the amendment with a crisis which is apparently imminent, with the general inability to pay rents, with the numerous evictions and consequent suffering, and with great danger to social order. I do not think that any one will deny that there has been a great fall in the price of almost all the chief produce of Ireland since the judicial rents were fixed. That fall may be variously estimated, but I should put it myself at twenty or thirty per cent. Now if the judicial rents were fixed upon the basis of former prices, and at that time they were fair, then they must necessarily be unfair now. I do not admit for a moment that there is any sanctity about judicial or any other rents. If rent cannot be paid and leave a fair subsistence to the tenant, no doubt the landlord must bear the loss."

APPENDIX XCII

(See Chapter XVII, p. 432)

ACCORDING to their report—

"The fall in the price of produce of all kinds, and in all parts of the country, has much impaired the ability of the farmer to pay the full rent,

and this, following on a previous restriction of credit by the bankers and other lenders of money, as well as by the shopkeepers, has very greatly increased their financial difficulties.

"The land commissioners, recognizing this depression, began towards the end of 1885 to reduce the rents then being judicially fixed by from ten to fourteen per cent. below the scale of reduction in the four previous years, and they have since continued to act on this principle.

"The sudden fall in prices during the last two years was intensified in its effect by a gradual deterioration which had been going on in the quality and produce of the soil, both tillage and grass, during a series of years of low temperature and much rain, especially in 1879, the worst year of the century. During this period much of the tenants' capital had disappeared. The cost of cultivation, compared with that of an earlier period, had also greatly increased."

Knipe, who did not subscribe to many of the opinions and suggestions of the other commissioners in regard to coercive legislation and combinations of tenants, presented a separate report of his own, in which he observed—

"I think that any attempt to meet agrarian crime and outrage, which unfortunately prevail in certain districts, by any fresh coercive legislation will now, as in the past, not only fail to secure the tranquillity of the country, but will inevitably end in seriously aggravating the present difficulties. If the relations which now unhappily exist between landlord and tenants are further strained, the intentions of the Land Purchase Act will be defeated, and sales of land to tenants even at lower price will be rendered more difficult in many parts of Ireland. The landlords, with a few honourable exceptions, have failed to meet by prompt reduction of rent the serious fall in prices, or to recognize the serious losses of their tenants, and to this may be attributed combinations and the resistance to evictions which has taken place, and which might have been averted. If the power of the League is to be weakened and the people to be kept away from combinations which are certain to spread beyond their present limited area, and thereby endanger further the peace of the country, it can only be by the Government boldly facing, as a whole, the Land Question in Ireland, and by such legislation and government as will convince the poorest of the people that the law is their defender and friend."

Sir Redvers Buller, who was Under-Secretary at Dublin Castle, gave evidence before the Cowper Commission at the end of 1886. Knipe embodied Buller's evidence in his own report, and the answers given by the latter to the questions which were put to him are particularly interesting—

"The Under-Secretary when asked before the Commission, *Q.* 16,473: 'Would it meet your idea if, when an ejectment was brought into the Court, the judge of that Court would have the discretion of saying whether he would evict or not?' replied, 'Yes, that is what I want. It seems to me that it should be his duty to exercise a certain degree of discretion, but he only exercises it when the tenant comes into Court. Unfortunately, the tenants have been taught that the law is only on one side.' Again, *Q.* 16,474-5: 'I see some very hard cases—cases of men being pressed for rents that they could not pay. I wrote to a landlord the other day who was about to turn out a man. That man paid a year's rent, and he owed three. He was evicted, and that man, I believe, really meant to pay the amount. He was evicted. I satisfied myself that if he got time he was going to pay his rent when his children, who were in service in Limerick, sent their wages to him.' And *Q.* 16,476: 'I think that there should be a discretion in giving decrees, and that there should be some means of modifying and redressing the grievances of rents being still higher than the people can pay. You have got a very ignorant, poor people, and the law should look after them, instead of which it has only looked after the rich; that appears to me to be the case on coming here.' Also *Q.* 16,468: 'I feel very strongly that in this part of the

country you can never have peace unless you create some legal equipoise or legal equivalent that will supply the want of freedom of contract that now exists between the landlord and the tenant. I think there should be some legal machinery which should give the tenant an equivalent for the pressure that the landlord is able to put on him owing to his love of the land.' . . . Q. 16,493: 'Is there any general sympathy with the action of the Land League on the part of the people?' (A.) 'Yes, I think so; they pay to it. I think there is sympathy, because they think that it has been their salvation.' Q. 216,394: 'It has been their salvation?' 'The bulk of the tenants in the West part of Ireland tell me of rents that have been reduced, and evictions that have been stayed, which are directly due to the operations of the League. They believed that, whatever truth there may be in it, nobody did anything for the tenants until the League was established, and when the landlords could not let their farms, then they were forced to consider the question of rent. There are in this district of Killarney 1,680 acres of derelict farms on which the grass has grown up and rotted this year, and 950 acres of farms from which the tenants having been evicted have been allowed to remain in as caretakers.' Q. 216,495: 'They had been kept derelict, but you do not think that desirable?' 'No, most undesirable. It is an enormous loss to the country, but it is because it does not pay to turn a tenant out, the tenant is not turned out.' Q. 216,496: 'The result is that it is no longer possible to enforce legal obligations?' 'Yes.' Q. 216,497: 'Well, that hardly looks as if the law was all for the rich.' 'The law—there is not much law in this part of the country, but a short time ago what law there was, was really on the side of the rich.'"

APPENDIX XCIIA

(See Chapter XVII, p. 437)

DURING the "Plan of Campaign" there was no lack of funds for the evicted families. John Dillon, M.P., in his evidence before the Evicted Tenants' Commission, in January, said—

"I may say that from the beginning of this movement, which commenced in November 1886, I kept a very accurate account of all the moneys. I kept books and we received by deposits from the tenants under the Plan of Campaign, £41,894 14s. 5d., and out of this we have returned to the tenants on settlements of one kind or another £30,067 16s. 7d. The balance spent in supporting and aiding the tenants was £11,000 odd. I can give the Commission all the expenses and details. The total sum received by us from all sources was £234,431 14s. 8d.; grants to tenants and maintenance, £127,419 11s. 7d.; legal expenses in defending tenants, £11,435 14s. 10d.; building and repairing houses for the evicted tenants, £50,607 9s. 7d.; miscellaneous expenses (including travelling expenses), £17,035 5s. 9d.; deposits returned to tenants, £30,067 16s. 1d.; grants to aid the tenants in effecting settlements, £1,051 15s. 9d.; and the balance was made up of grants to isolated tenants not belonging to the movement."

APPENDIX XCIII

(See Chapter XVII, p. 439)

SIR CHARLES RUSSELL said, in opening his speech—

"I have pointed out who the accused are. Who are the accusers? The accusers are a company or a co-partnership or a syndicate, I know not

which, called by the public in ordinary parlance *The Times*; who, if they have been consistent in nothing else, have been consistent in their unrelenting, unvarying hostility to the Irish people, and the cause of the Irish people.

"It is now a good many years ago, but the incident is an instructive one, when the *Times*, during the Lord-Lieutenancy of Lord Mulgrave, put into its columns these words—

'It has been proved beyond a doubt that Lord Mulgrave has actually invited to dinner that rancorous and foul-mouthed ruffian O'Connell.'

We have here in these words the keynote to the misgovernment of Ireland. It is the fashion nowadays to praise O'Connell, and a distinguished Minister of the day, indeed the principal Irish Minister, has gone the length of claiming O'Connell as a supporter of his policy! But what did the writer mean when he made that complaint against Lord Mulgrave? Lord Mulgrave was the Queen's Lord-Lieutenant in Ireland, charged with the duty of the government of that country, bound—if indeed it be true that Governments exist for the good of the people and not for the benefit of the governors—to consult, by the best and every means in his power, the interests, and to regard the wishes, of the people over whom he ruled, and yet it is made in the columns of this paper a charge and indictment against him that he has sought companionship with, has sought counsel with, has sought to get some touch-point, and means of contact with, popular opinion and feeling in Ireland. It is the want to which I shall have again and again to refer in the course of this case; it is the absence of contact with the people, with the representatives of the people, absence of the means of knowledge of their wants and of their wishes, that has been one of the grievous disasters in Ireland's government in the past, ay, and in the present day.

"My Lords, the same paper later, again and again vilified the Irish priesthood—as devoted a body of clergy as probably the world has ever seen—as a band of 'surpliced ruffians.' The same paper, later, in 1846, again and again exulted in that cruel decimation which an artificial famine had brought on the Irish people, and exultantly exclaimed that 'at last the Irish were gone, and gone with a vengeance.' Unhappily for the peace of the country they were 'gone with a vengeance,' the fruits of which to-day we are to some extent reaping.

"The same paper in 1848 expressed the hope that the Young Ireland rising would be such as would enable the Queen's troops with the Queen's artillery to mow down the Queen's subjects in Ireland wholesale. Lastly, and in comparatively recent days, speaking of the emigration from Ireland draining the manhood of the country, and leaving behind in undue proportions the old and the feeble, it likened that stream of emigration across the Atlantic to the passage of rats from an empty ship in dock to a laden and freighted ship—the passage from one to the other by the hawser which joined them together.

"My Lords, I know not which has been the worst factor in the misgovernment of Ireland—the influence of the *Times*, which undoubtedly once was great, or the influence of a section of the Legislature to whose action I shall have hereafter to refer your Lordships. It is true to say of the *Times* that to the misuse of its influence in times gone by, and in recent days, has been attributable—fairly attributable—much of that estrangement of feeling, much of that soreness of mind on the part of the Irish people in relation to England, which, unhappily, to a great extent exist. I admit that there has been gleams, transient gleams, of intelligence and statesmanship in the *Times*, but I say they have been far more than counterbalanced by its persistent and consistent tone, now of insolent abuse, now of still more insolent condescension." (*Speech*, published 1889.)

Russell had become a Home Ruler when Gladstone did. He had been a frequent correspondent to the *Daily Telegraph* on the subject of Ireland, and his letters to that paper were subsequently published in a book as *New Views on Ireland*.

He opened the case for the defence on April 2, 1889, in a speech which occupied five and a half hours a day for seven days.

APPENDIX XCIV

(See Chapter XVII, p. 443)

PIGOTT'S confession, dated February 23, 1889, was as follows—

I, Richard Pigott, am desirous of making a statement before H. Labouchere and G. A. Sala, and I make this, of my own free will and without any monetary inducement, in the house of the former.

My object is to correct inaccuracies in the report of my evidence in the *Times*, and also to make a full disclosure of the circumstances connected with the publication of the facsimile letter in the *Times*, and the other letters of Mr. Parnell, Mr. Egan, Mr. Davitt, and Mr. O'Kelly, produced by the *Times* in evidence.

Corrections.—I stated that after I disposed of my newspapers in the year 1881, I continued in touch with the Irish Republican Brotherhood. That is not so. I also stated of my own knowledge that Egan and others continued to be members of the Irish Republican Brotherhood after the resignation of the positions held by them on the supreme council of that organization.

In my account of my interview with Davis, at Lausanne, I stated that I made rough notes in his presence of the conversations that took place between us, which were embodied in the statement made in Court. That is not correct. I made no notes. The statement was written by me on the following day from my recollection only. Davis made no statement on his own authority. We merely gossiped. I am now of opinion that he made no reference whatever to a letter of Mr. Parnell's which I stated was left in Paris with other documents by a fugitive Invincible. I gave the statement to Houston as the heads of a pamphlet which I said Davis would write at a future time. He did promise to write a pamphlet against the Land League, but not founded on the contents of the statement. I agreed to pay him £100 for the pamphlet when written.

Letters.—The circumstances connected with the obtaining of the letters, as I gave in evidence, are not true. No one, save myself, was concerned in the transaction. I told Houston that I had discovered the letters in Paris, but I grieve to have to confess that I simply myself fabricated them, using genuine letters of Messrs. Parnell and Egan in copying certain words, phrases, and general character of the handwriting. I traced some words and phrases by putting the genuine letter against the window and placing the sheet on which I wrote over it. These genuine letters were the letters from Mr. Parnell, copies of which have been read in Court, and four or five letters of Mr. Egan's, which were also read in Court. I destroyed these letters after using them. Some of the signatures I traced in this manner, and some I wrote. I then wrote to Houston telling him to come to Paris for the documents. I told him that they had been placed in a black bag with some old accounts, scraps of paper, and old newspapers. On his arrival I produced to him the letters, accounts, and scraps of paper. After a very brief inspection he handed me a cheque on Cook for £500, the price which I told him I had agreed to pay for them. At the same time he gave me £105 in bank-notes as my own commission. The accounts put in were leaves torn from an old account book of my own, which contained details of

the expenditure of Fenian money entrusted to me from time to time, which is mainly in the handwriting of David Murphy, my cashier. The scraps I found in the bottom of an old writing desk. I do not recollect in whose writing they are.

The second batch of letters were also written by me. Mr. Parnell's signature was imitated from that published in the *Times* facsimile letter. I do not now remember where I got the Egan letter from which I copied the signature.

I had no specimen of Campbell's handwriting beyond the two letters of Mr. Parnell's letter to me, which I presumed might be in Mr. Campbell's handwriting. I wrote to Mr. Houston that this second batch was for sale in Paris, having been brought there from America. He wrote asking to see them. I forwarded them accordingly, and after keeping them three or four days he sent me a cheque on Cook for the price demanded for them, £550. The third batch consisted of a letter imitated by me from a letter written in pencil to me by Mr. Davitt when he was in prison, and of another letter copied by me from a letter of a very early date which I received from James O'Kelly when he was writing on my newspapers, and of a third letter ascribed to Egan, the writing of which and some of the words I copied from an old bill of exchange in Mr. Egan's handwriting. The third letter is what has been called the "bakery letter." Two hundred pounds was the price paid to me by Mr. Houston for these three letters. It was paid in bank notes.

I have stated that for the first batch I received £105 for myself, for the second batch I got £50, for the third batch I was supposed to have received nothing.

I did not see Breslin in America. This was part of the deception.

It was mutually agreed between Houston and me that my name was not to be given up and that I should not mention his name. I did not learn until October, when I was taken by Houston to Mr. Soames to make a statement, that Houston had mentioned my name to Mr. MacDonald. I had an angry correspondence with Mr. Houston and also with Mr. Soames in consequence of what I considered to be a breach of faith.

With respect to my interview with Messrs. Parnell, Lewis, and Labouchere, my sworn statement is in the main correct. I am, however, of the opinion that the offer to me by Mr. Labouchere of £1,000 was not for giving evidence, but for any documents in Mr. Egan's or Mr. Parnell's handwriting that I might happen to have. My statement only referred to the first interview with these gentlemen. I had a further interview with Mr. Labouchere, on which occasion I made him acquainted with further circumstances not previously mentioned by me at the preceding interviews.

I stated that I had destroyed all Mr. Houston's letters to me. That was not correct. I have some of them.

I declare that this statement is taken down by Mr. Labouchere at my dictation in the presence of Mr. Sala.

RICHARD PIGOTT.

Witness : GEORGE AUGUSTUS SALA.

APPENDIX XCV

(See Chapter XVII, p. 445)

THE Judges' report was as follows—

We have now pursued our inquiry over a sufficiently extended period to enable us to report upon the several charges and allegations which have been made against the respondents, and we have indicated in the course of

this statement our findings upon these charges and allegations, but it will be convenient to repeat, seriatim, the conclusions we have arrived at upon the issues which have been raised for our consideration.

1. We find that the respondent members of Parliament collectively were not members of a conspiracy having for its object to establish the absolute independence of Ireland, but we find that some of them, together with Mr. Davitt, established and joined in the League organization with the intention by its means to bring about the absolute independence of Ireland as a separate nation. The names of those respondents are set out at page 32 of this report.

2. We find that the respondents did enter into a conspiracy by a system of coercion and intimidation to promote an agrarian agitation against the payment of agricultural rents, for the purpose of impoverishing and expelling from the country the Irish landlords who were styled the "English garrison."

3. We find that the charge that "when on certain occasions they thought it politic to denounce, and did denounce, certain crimes in public, they afterwards led their supporters to believe such denunciations were not sincere," is not established. We entirely acquit Mr. Parnell and the other respondents of the charge of insincerity in their denunciation of the Phoenix Park murders, and find that the facsimile letter on which this charge was chiefly based as against Mr. Parnell, is a forgery.

4. We find that the respondents did disseminate the *Irish World* and other newspapers tending to incite to sedition and the commission of other crimes.

5. We find that the respondents did not directly incite persons to the commission of crime other than intimidation, but that they did incite to intimidation, and the consequence of that incitement was that crime and outrage were committed by the persons incited. We find it has not been proved that the respondents made payments for the purpose of inciting persons to commit crime.

6. We find as to the allegation that the respondents did nothing to prevent crime and expressed no *bona fide* disapproval, that some of the respondents, and in particular Mr. Davitt, did express *bona fide* disapproval of crime and outrage, but that the respondents did not denounce the system of intimidation that led to crime and outrage, but persisted in it with knowledge of its effect.

7. We find that the respondents did defend persons charged with agrarian crime, and supported their families, but that it has not been proved that they subscribed to testimonials for, or were intimately associated with, notorious criminals, or that they made payments to procure the escape of criminals from justice.

8. We find as to the allegation that the respondents made payments to compensate persons who had been injured in the commission of crime, that they did make such payments.

9. As to the allegation that the respondents invited the assistance and co-operation of, and accepted subscriptions of money from, known advocates of crime and the use of dynamite; we find that the respondents did invite the assistance and co-operation of, and accepted subscriptions of money from, Patrick Ford, a known advocate of crime and the use of dynamite, but that it has not been proved that the respondents or any of them knew that the Clan na Gael controlled the league or was collecting money for the parliamentary funds. It has been proved that the respondents invited and obtained the assistance and co-operation of the physical-force party in America, including the Clan na Gael, and in order to obtain that assistance abstained from repudiating the action of that party.

There remain three specific charges against Mr. Parnell, namely—

(a) That at the time of the Kilmainham negotiations Mr. Parnell knew that Sheridan and Boyton had been organizing outrage, and therefore

wished to use them to put down outrage. We find that this charge has not been proved.

(b) That Mr. Parnell was intimate with the leading Invincibles, that he probably learned from them what they were about when he was released on parole in April 1882, and that he recognized the Phoenix Park murders as their handiwork.

We find that there is no foundation for this charge. We have already stated that the Invincibles were not a branch of the Land League.

(c) That Mr. Parnell, on January 23, 1883, by an opportune remittance, enabled F. Byrne to escape from justice to France. We find that Mr. Parnell did not make any remittance to enable F. Byrne to escape from justice.

We consider that there is no foundation whatever for the charge that Mr. Parnell was intimate with Invincibles, knowing them to be such, or that he had any knowledge, direct or indirect, of the conspiracy which resulted in the Phoenix Park murders, and we find the same with reference to all the other respondents. We do not think it necessary to enter into the question whether or not any person other than those who were convicted were guilty of participation in those crimes, because we are clearly of opinion that none of the respondents were aware at the time that any persons with whom they associated were connected with these murders.

The third charge we have to consider is "that when on certain occasions the respondents thought it politic to denounce and did denounce certain crimes in public, they afterwards led their supporters to believe that such denunciation was not sincere."

This was chiefly based on the letter known throughout the inquiry as the "facsimile letter."

This letter was one of a series obtained from the witness Richard Pigott, by Mr. Houston, who afterwards supplied them to the manager of the *Times* newspaper upon payment of sums amounting to £2,530. We do not propose to narrate the circumstances attending on the obtaining of these letters. They will be found in the evidence.

The story told by Pigott as to the manner in which he had obtained these letters was entirely unworthy of credit, and before his cross-examination was concluded he absconded and committed suicide. We find that all the letters produced by Pigott and set out in the appendix are forgeries, and we entirely acquit Mr. Parnell and the other respondents of the charge of insincerity in their denunciation of the Phoenix Park murders.

The two special charges against Mr. Davitt—namely, (a) "That he was a member of the Fenian organization, and convicted as such, and that he assisted in the formation of the Land League with money which had been contributed for the purpose of outrage and crime"; (b) "That he was in close and intimate association with the party of violence in America, and was mainly instrumental in bringing about the alliance between that party and the Parnellite and Home Rule party in America," are based on passages in the *Times* leading articles of March 7 and 14, 1887; "The new movement was appropriately started by Fenians out of Fenian funds; its 'father' is Michael Davitt, a convicted Fenian." "That Mr. Parnell's 'constitutional organization' was planned by Fenian brains, founded on a Fenian loan, and reared by Fenian hands."

We have shown in the course of the report that Mr. Davitt was a member of the Fenian organization and convicted as such, and that he received money from a fund which had been contributed for the purpose of outrage and crime—viz., the Skirmishing Fund. It was not, however, for the formation of the Land League itself, but for the promotion of the agitation which led up to it. We have also shown that Mr. Davitt returned the money out of his own resources.

With regard to the further allegation that he was in close and intimate

association with the party of violence in America, and mainly instrumental in bringing about the alliance between that party and the Parnellite and Home Rule party in America, we find that he was in such close and intimate association for the purpose of bringing about, and that he was mainly instrumental in bringing about, the alliance referred to.

All which we humbly report to your Majesty.

ARCHIBALD L. SMITH,
JAMES HANNEN,
JOHN C. DAY.

HENRY HARDING CUNYNGHAME, *Secretary*.

Royal Courts of Justice, February 13, 1890.

APPENDIX XCVI

(See Chapter XVII, p. 450)

THE manifesto was as follows—

“TO THE PEOPLE OF IRELAND.

“The integrity and independence of a section of the Irish parliamentary party having been sapped and destroyed by the wirepullers of the English Liberal party, it has become necessary for me, as the leader of the Irish nation, to take counsel with you, and, having given you the knowledge which is in my possession, to ask your judgment upon a matter which now solely devolves upon you to decide.

“The letter of Mr. Gladstone to Mr. Morley, written for the purpose of influencing the decision of the Irish party in the choice of their leader, and claiming for the Liberal party and their leaders the right of veto upon that choice, is the immediate cause of this address to you to remind you and your parliamentary representatives that Ireland considers the independence of her party as her only safeguard within the Constitution, and above and beyond all other considerations whatever. The threat in that letter, repeated so insolently on many English platforms and in numerous British newspapers, that unless Ireland concedes this right of veto to England she will indefinitely postpone her chances of obtaining Home Rule, compels me, while not for one moment admitting the slightest probability of such loss, to put before you information which until now, so far as my colleagues are concerned, has been solely in my possession, and which will enable you to understand the measure of the loss with which you are threatened unless you consent to throw me to the English wolves now howling for my destruction.

“In November of last year, in response to a repeated and long-standing request, I visited Mr. Gladstone at Hawarden, and received the details of the intended proposals of himself and his colleagues of the late Liberal Cabinet with regard to Home Rule, in the event of the next General Election favouring the Liberal party.

“It is unnecessary for me to do more at present than to direct your attention to certain points of these details, which will be generally recognized as embracing elements vital for your information and the formation of your judgment. These vital points of difficulty may be suitably arranged and considered under the following heads—

- “(1) The retention of the Irish members in the Imperial Parliament.
- “(2) The settlement of the land or agrarian difficulty in Ireland.
- “(3) The control of the Irish constabulary.

"(4) The appointment of the judiciary (including judges of the supreme court, county court judges, and resident magistrates).

"Upon the subject of the retention of the Irish members in the Imperial Parliament Mr. Gladstone told me that the opinion, and the unanimous opinion, of his colleagues and himself, recently arrived at after most mature consideration of alternative proposals, was that, in order to conciliate English public opinion, it would be necessary to reduce the Irish representation from 103 to 32.

"Upon the settlement of the land it was held that this was one of the questions which must be regarded as questions reserved from the control of the Irish Legislature, but, at the same time, Mr. Gladstone intimated that, while he would renew his attempt to settle the matter by Imperial legislation on the lines of the Land Purchase Bill of 1886 he would not undertake to put any pressure upon his own side or insist upon their adopting his views—in other and shorter words, that the Irish Legislature was not to be given the power of solving the agrarian difficulty, and that the Imperial Parliament would not.

"With regard to the control of the Irish constabulary it was stated by Mr. Gladstone that, having regard to the necessity for conciliating English public opinion, he and his colleagues felt that it would be necessary to leave this force and the appointment of its officers under the control of the Imperial authority for an indefinite period, while the funds for its maintenance, payment, and equipment would be compulsorily provided out of Irish resources.

"The period of ten or twelve years was suggested as the limit of time during which the appointment of judges, resident magistrates, etc., should be retained in the hands of the Imperial authority.

"I have now given a short account of what I gathered of Mr. Gladstone's views and those of his colleagues during two hours' conversation at Hawarden—a conversation which, I am bound to admit, was mainly monopolized by Mr. Gladstone—and pass to my own expressions of opinion upon these communications, which represent my views then and now.

"And, first, with regard to the retention of the Irish members, the position I have always adopted, and then represented, is that, with the concession of full powers to the Irish Legislature equivalent to those employed by a State of the American Union, the number and position of the members so retained would become a question of Imperial concern, and not of pressing or immediate importance for the interests of Ireland. But that with the important and all-engrossing subjects of agrarian reform, constabulary control, and judiciary appointments left either under Imperial control or totally unprovided for, it would be the height of madness for any Irish leader to imitate Grattan's example and consent to disband the army which had cleared the way to victory.

"I further undertook to use every legitimate influence to reconcile Irish public opinion to a gradual coming into force of new privileges, and to the postponement necessary for English opinion with regard to constabulary control and judicial appointments, but strongly dissented from the proposed reduction of members during the interval of probation. I pointed to the absence of any suitable prospect of land settlement by either Parliament as constituting an overwhelming drag upon the prospects of permanent peace and prosperity in Ireland.

"At the conclusion of the interview I was informed that Mr. Gladstone and all his colleagues were entirely agreed that, pending the General Election, silence should be absolutely preserved with regard to any points of difference on the question of the retention of the Irish members.

"I have dwelt at some length upon these subjects, but not, I think, disproportionately to their importance. Let me say, in addition, that, if and when full powers are conceded to Ireland over her own domestic affairs, the integrity, number, and independence of the Irish party will be a matter of no

importance ; but until this ideal is reached it is your duty and mine to hold fast every safeguard.

"I need not say that the questions—the vital and important questions—of the retention of the Irish members, on the one hand, and the indefinite delay of full powers to the Irish Legislature on the other, gave me great concern. The absence of any provision for the settlement of the agrarian question, of any policy on the part of the Liberal leaders, filled me with concern and apprehension. On the introduction of the Land Purchase Bill by the Government at the commencement of last session, Mr. Morley communicated with me as to the course to be adopted. Having regard to the avowed absence of any policy on the part of the Liberal leaders and party with regard to the matter of the land, I strongly advised Mr. Morley against any direct challenge of the principle of State-aided land purchase, and, finding that the fears and alarms of the English taxpayer to State aid by the hypothecation of grants for local purposes in Ireland as a counter-guarantee had been assuaged, that a hopeless struggle should not be maintained, and that we should direct our sole efforts on the second reading of the Bill to the assertion of the principle of local control. In this I am bound to say Mr. Morley entirely agreed with me, but he was at the same time much hampered—and expressed his sense of his position—in that direction by the attitude of the extreme section of his party, led by Mr. Labouchere. And in a subsequent interview he impressed me with the necessity of meeting the second reading of the Bill with a direct negative, and asked me to undertake the motion. I agreed to this, but only on the condition that I was not to attack the principle of the measure, but to confine myself to a criticism of its details. I think this was false strategy, but it was strategy adopted out of regard to English prejudices and Radical peculiarities. I did the best that was possible under the circumstances, and the several days' debate on the second reading contrasts favourably with Mr. Labouchere's recent and abortive attempt to interpose a direct negative to the first reading of a similar Bill yesterday.

"Time went on. The Government allowed their attention to be distracted from the question of land purchase by the Bill for compensating English publicans, and the agrarian difficulty in Ireland was again relegated to the future of another session. Just before the commencement of this session I was again favoured with another interview with Mr. Morley. I impressed upon him the policy of the oblique method of procedure in reference to land purchase, and the necessity and importance of providing for the question of local control and of a limitation in the application of the funds. He agreed with me, and I offered to move, on the first reading of the Bill, an amendment in favour of this local control, advising that, if this were rejected, it might be left to the Radicals on the second reading to oppose the principle of the measure. This appeared to be a proper course, and I left Mr. Morley under the impression that this would fall to my duty.

"But in addition he made me a remarkable proposal, referring to the probable approaching victory of the Liberal party at the polls. He suggested some considerations as to the future of the Irish party. He asked me whether I would be willing to assume the office of Chief Secretary to the Lord-Lieutenant of Ireland, or to allow another member of my party to take the position. He also put before me the desirability of filling one of the law offices of the Crown in Ireland by a legal member of my party. I told him, amazed as I was at the proposal, that I could not agree to forfeit in any way the independence of the party or any of its members ; that the Irish people had trusted me in this movement because they believed that the declaration I had made to them at Cork in 1880 was a true one and represented my convictions, and that I would on no account depart from it. I considered that, after the declarations we have repeatedly made, the proposal of Mr. Morley, that we should allow ourselves to be absorbed into English politics, was one

based upon an entire misconception of our position with regard to the Irish constituencies and of the pledges which we had given.

"In conclusion, he directed my attention to the Plan of Campaign estates. He said that it would be impossible for the Liberal party when they attained power to do anything for these evicted tenants by direct action; that it would be also impossible for the Irish Parliament, under the powers conferred, to do anything for them, and, flinging up his hands with a gesture of despair, he exclaimed: 'Having been to Tipperary, I do not know what to propose in regard to the matter.' I told him that this question was a limited one, and that I did not see that he need allow himself to be hampered by its future consideration; that, being limited, funds would be available from America and elsewhere for the support of those tenants as long as might be necessary; that, of course, I understood it was a difficulty, but that it was a limited one, and should not be allowed to interfere with the general interests of the country.

"I allude to this matter only because within the last few days a strong argument in many minds for my expulsion has been that, unless the Liberals come into power at the next General Election, the Plan of Campaign tenants will suffer. As I have shown, the Liberals propose to do nothing for the Plan of Campaign tenants by direct action when they do come into power, but I am entitled to ask that the existence of these tenants, whom I have supported in every way in the past, and whom I shall continue to support in the future, shall not constitute a reason for my expulsion from Irish politics. I have repeatedly pledged myself to stand by these evicted tenants and that they shall not be allowed to suffer, and I believe that the Irish people throughout the world will support me in this policy.

"Sixteen years ago I conceived the idea of an Irish parliamentary party independent of all English parties. Ten years ago I was elected the leader of an independent Irish parliamentary party. During these ten years that party has remained independent, and because of its independence it has forced upon the English people the necessity of granting Home Rule to Ireland. I believe that party will obtain Home Rule only provided it remains independent of any English party.

"I do not believe that any action of the Irish people in supporting me will endanger the Home Rule cause, or postpone the establishment of an Irish Parliament; but even if the danger with which we are threatened by the Liberal party of to-day were to be realized, I believe that the Irish people throughout the world would agree with me that postponement would be preferable to a compromise of our national rights by the acceptance of a measure which would not realize the aspirations of our race."

APPENDIX XCVII

(See Chapter XVII, p. 455)

THE powers of the Board were extended in 1896. Its work was confined to the districts along the Western seaboard, and included the enlargement of small holdings, the encouragement of better cultivation, the improvement of live stock, and the promotion of cottage industries and the fishing industry. Its income, which increased after 1896, was derived from the investment of a capital sum of money provided out of an Irish fund, and from other grants made by Parliament out of Irish taxes. It purchased some estates and carried out improvements upon the holdings, such as the Dillon estate in Roscommon and Mayo counties, which it acquired in 1898.

APPENDIX XCVIII

(See Chapter XVII, p. 457)

IN 1845 Macaulay had said in the House of Commons—

"The Repeal of the Union we regard as fatal to the Empire, and we will never consent to it—never, though the country should be surrounded by dangers as great as those which threatened her when her American Colonies and France and Spain and Holland were leagued against her, or when the armed neutrality of the Baltic disputed her maritime rights; never, though another Bonaparte should pitch his camp in sight of Dover Castle; never, till all had been staked and lost; never, till the four quarters of the world have been convulsed by the last struggle of the great English people for their place among the nations."

Gladstone was not the first statesman to believe in the efficacy of Home Rule. Lord Shelburne, one of the most enlightened statesmen of his age, says in one of his many memoranda—

"God never intended one country to govern another, but that each country should govern itself. Ireland has of late made considerable progress, and I imagine its independence would more likely secure its dependence on England."

Gladstone's last speech in Parliament was an indictment of the attitude of the House of Lords, and there is little doubt that, had he dissolved, as he wished, he would have gone to the country on the question of reforming the political powers of the Upper House. But his Cabinet were averse to dissolution, and he resigned instead. In this last speech on March 1, 1893, he thus summed up the position of the House of Lords—

"We are compelled to accompany that acceptance (of changes made by the Lords) with the sorrowful declaration that the differences, not of a temporary or casual nature merely, but differences of conviction, differences of prepossession, differences of mental habit, and differences of fundamental tendency, between the House of Lords and the House of Commons, appear to have reached a development in the present year such as to create a state of things of which we are compelled to say that, in our judgment, it cannot continue. Sir, I do not wish to use hard words, which are easily employed and as easily retorted—it is a game that two can play at—but without using hard words, without presuming to judge of motives, without desiring or venturing to allege imputations, I have felt it a duty to state what appeared to me to be indisputable facts. The issue which is raised between a deliberative assembly, elected by the votes of more than 6,000,000 people, and a deliberative assembly occupied by many men of virtue, by many men of talent, of course with considerable diversities and varieties, is a controversy which, when once raised, must go forward to an issue."

APPENDIX XCIX

LOCAL GOVERNMENT ACT, 1898

THE Local Government Act of 1898 was introduced by Gerald Balfour, the Chief Secretary for Ireland in the Salisbury Government.¹ T. M. Healy had outlined a very similar scheme of elective county councils for Ireland, which had been introduced in the form of a Bill by John Barry in April 1883, but rejected by 231 votes to 58. The Grand Juries had hitherto been the

¹ The author is indebted for various information contained in this epitome to William O'Connor Morris' *Present Irish Questions*.

principal county authorities for local government in Ireland, having, from the time of William of Orange, been entrusted with practically complete control over county government, and like their English comrades having always exercised a criminal jurisdiction. They had always been composed of the leading landed gentry, who were nominated by the sheriffs, or in other words by the officials who sat in Dublin, and had thus remained unpolluted by any popular element, whilst, as Catholics were excluded from all share in their deliberations until nearly the end of the eighteenth century, they personified the then Protestant Ascendency in a galling and aggravated form. The management of the local affairs of the counties—roads, public buildings, and police—was practically vested in them exclusively; and the charges for these were defrayed by a local rate, still known as the county cess, and levied by them almost wholly on the occupiers of the soil, that is to say, in the enormous majority of cases, on the distressed Catholic peasantry, who were unrepresented in the bodies which dealt with the expenditure. The local magnates used to assemble twice a year at the assizes held in their respective counties. It was not until the Relief Act of 1793 that Catholics were admitted to sit upon the Grand Juries, and even then the Catholic members continued to be very few in number, the large majority of the Irish landlords being Protestant. After the Union the Castle officials began steadily to encroach upon the prerogative of the Grand Juries, whilst local needs increased and necessary expenditure proportionately grew. Thus the Grand Juries gradually lost a large part of their former authority, being more and more controlled from Dublin, and were at length obliged to vote money for public works of different kinds for the benefit of their counties. Now, as the requirements of the latter multiplied, and the so-called "imperative presentments" increased, the charge of the local rate or county cess became necessarily more burdensome, and was still drawn from the hardly earned savings of the miserable Catholic peasantry. At length the civil or fiscal administration possessed by the Grand Juries until 1798 was overhauled and regulated by an Act of Parliament in 1836, supplemented from time to time by subsequent statutes. Although the Grand Juries were still to enjoy their general supervisory authority, they were now made strictly dependent upon the Central Government by whom their chief officers were appointed, whilst their accounts were subjected to a regular audit, and their "imperative presentments" largely increased. To balance these diminished powers, an additional jurisdiction accrued to them in regard to inquiries into criminal injuries and the compensation of persons who had suffered thereby, as well as the voting of extra police, whenever the condition of disturbed districts rendered precautionary measures necessary. Their old local police, however, disappeared, their place being filled by the Constabulary. During the same period the voting of local rates also underwent a considerable change. These sums were "presented" in the first instance at baronial and county-at-large sessions, held by county justices and ratepayers of substance; but these bodies were devoid of any popular element, and were subordinate moreover to the Grand Juries, which were supreme in the last resort within the limits assigned to their jurisdiction. The local expenditure thus voted was subject to the examination of a judge of assize, who, as a rule, "fiated" it, the ratepayers having a right to challenge it by means of what was termed a "traverse," a privilege, however, which was rarely made use of.

Thus the Irish Grand Juries had been oligarchic bodies to the core, survivals of the old hated Ascendency, and inclined to sink in their later and more contemptible history into mere dependencies of the Castle. The Poor Law system, as we have seen, was on a different footing, being more or less free from the taint of monopoly, and having less regard to purely oligarchic interests, for it was brought by the Act of 1838 to a far greater degree under popular control than the system of local government had ever been. Soon afterwards the Act of 1840 was passed, but it scarcely effected

any reform at all. In fact, it so greatly reduced the number of the corporate towns of Ireland, that it was found necessary in 1854 to give municipal rights to many towns of comparatively small size, which were consequently placed under the management of Town Commissioners elected by the townsmen. Notwithstanding this extension, however—a policy which was continued in subsequent years until municipal rights had been extended to nearly a hundred towns—the powers of all such towns remained very restricted, for the franchise was high and the towns themselves were under the control of the Irish Local Government Board. The Local Government Bill, which was introduced by the Salisbury Government in 1892 and was an abortive attempt to democratize the system of Irish Local Government, proposed to establish a system of County and Baronial Councils in Ireland, analogous in many respects to those of England, whilst it provided safeguards against the abuse of change and made some large towns areas for County Councils. The proposed system was ridiculed by Gladstone and the remnant of Parnell's party on the plea that it did not conform to the English pattern, but their opposition was really due to the fact that it did not countenance the principles of Home Rule which they had at heart, and the Bill was ultimately dropped by the Government.

At length, in 1898, the Local Government system was fundamentally altered. In 1896 a subvention to defray half the charge of the local county rates had been made by the State to the landed interest in England and Scotland in view of the severe depression under which agriculture was then suffering. The Report of the Childers' Commission had also appeared about the same time; but the Government having decided not to give it their countenance, refused to extend the same assistance to a country that was more in need of it. This decision, however, roused such vehement remonstrances that they eventually consented to afford relief on the condition that a complete reform should be effected in Irish Local Government.

By the Irish Local Government Bill of 1898, which was introduced on this understanding by Gerald Balfour, the Chief Secretary, and ultimately passed into law on August 12 of that year, County government, especially the business relating to poor rates, roads, asylums, hospitals, and public health, was transferred from the Grand Juries to bodies known as County Councils, such as had been recently formed in Great Britain; the question of criminal injuries and the determination of the compensation payable for these being, on account of their essentially judicial character, conferred upon the County Court Judges. The powers of the new Councils were, however, to be larger than those of the old Juries, for they were to assess and levy the poor rate in rural districts, to manage the asylums of the lunatic poor, and in cases of exceptional distress to sanction, subject to the permission of the Local Government Board, relief to outdoor poor. The Councils were to be thirty-two in number, to correspond to the number of the Irish counties, and to be popular assemblies in the fullest sense. The ratepayers of their respective districts, who possessed a very low franchise, were to elect them, whilst women were given the right of election, and the cumulative vote was removed. There was to be no difference in regard to the privilege of voting between the indigent cottar and the rich man; and since any of these voters were eligible to a County Council, the latter might very easily be crowded with petty ratepayers and wrangling women. Three members of the Grand Jury in each county had the right of sitting in the Council, but only for a short time. The Councillors were elected for three years and could co-opt a few members, whilst the heads of bodies subordinate to them had the privilege of taking part in their deliberations. The appointment of Coroners was also made over to them. Like the Grand Juries, the Councils were placed under the control of the Central Government, and obliged to make "imperative presentments," subordinate bodies having, as in the case of the Grand Juries, the initiative in part of their proceedings. They were not

restricted like the Juries by judges' "fiats" and by "traverses," but they came to a certain degree under the control of the superior courts of Ireland, and more or less under the authority of the Local Government Board. Six of the principal towns of Ireland—Dublin, Belfast, Cork, Limerick, Londonderry, and Waterford—which already possessed representative Councils, were made distinct counties and called County Boroughs, and the new system was applied to these also, although they preserved the titles of mayors, aldermen, and burgesses.

Under the County Councils were the Rural and the Urban District Councils. The sphere of the authority of the Rural District Councils corresponded, for the most part, to the Poor Law Union, whilst they were to be elected under the same conditions as the County Councils. To the Rural District Councils were transferred the powers of the Baronial Presentment Sessions of the Grand Juries, enabling them like the latter to initiate proceedings. They were also constituted the sole guardians of the poor within their districts, the *ex officio* guardians having been abolished; their chairmen were members of the County Councils, and they themselves under the control of the Local Government Board. The sphere of the activity of the Urban District Councils was made that of the larger towns of Ireland, sanitary areas, as they were, within themselves; but power was taken to increase the number of these towns should it hereafter prove necessary. They resembled in their mode of election and constitution the other assemblies described above, but retained, where they had previously possessed them, the names of Corporate or Town Commissioners Towns, as well as the meaningless but harmless titles of mayors, aldermen, and burgesses. Their powers became those of the old Grand Juries within the towns, with the exception of the larger public buildings, which formerly were charged on "the county at large." They could levy and assess the poor rate within their districts, their councillors being made the guardians of the poor there, and they retained their former powers of urban government unimpaired. Like the Rural District Councils they were also under the authority of the Local Government Board.

The laudable aim of the new County Councils was the relief of Irish Agriculture, and, in order to effect this reform, the county cess and poor rate were consolidated into a single charge, half of which was to be defrayed by the State and appropriated to the relief of agricultural lands, towns and lands within municipal limits being exempted. This sum was to be divided between the owners and occupiers of the soil, but was not to be extended to payments exigible in respect of criminal injuries, or extra police in disturbed districts, these charges being borne as before by local areas. The relief, which differed widely as between landlords of different classes of tenants—landlords of farmers of substance receiving more than those of mere cottars—was to be an annual allowance of about £700,000, calculated on the local expenditure for 1897, of which it was regularly to amount to one-half. Should the future expenditure, therefore, in any year be in excess of that of the standard year, the proportionate value of the relief would shrink. Should it, on the other hand, be a lesser amount, the value would similarly rise. A restraint was thus placed upon reckless jobbing and the waste of local funds.

This measure, which was undeniably democratic, imposed the responsibility of great power upon the Irish lower classes. The latter, however, had never been allowed to pass through the educational stages of self-government, and so when public opinion tardily recognized the necessity for reform, the sudden change found the Irish people completely unprepared.

APPENDIX C

FOUNDATION OF THE UNITED IRISH LEAGUE, 1898

THE United Irish League was founded by William O'Brien in 1898, the first branch being established at Westport on February 6, and it was generally acknowledged as the lineal descendant of the old Land and National Leagues, which after a stormy period of activity had been successfully repressed. It perfected the system of the boycott, and John Redmond, its official head, said at a meeting in 1901: "If all over Ireland to-day we had as vigorous—and I won't mince words—as dangerous a movement as exists in Connaught at this moment—we would make short work of the land question, and short work, as I believe, of the English government of our country." In 1902 there were more than 1,200 branches of the League in Ireland, and seventy-one "derelict" farms in Sligo, Leitrim, and Roscommon, that is to say, farms which terror of the League had prevented prospective tenants from renting and thus left idle on the hands of landlords. Moreover, in the same three counties there were thirty-two persons under constant or partial police protection, whilst the number of derelict farms in Galway in the early part of 1902 was 120, and protected farms eighty-four. The immediate aim of the League was the division of all grass-farms held by "graziers" among the peasant proprietors of small agricultural holdings, and consequently every large grazier was its natural foe. The term "grabber" had formerly signified any man who rented a farm from which another had been evicted in default of rent, but it now denoted any person who held a piece of land which some Ahab of the League coveted for his own use, and in many cases even a man whose creditor was unwilling to pay. The League supported its authority by two means—the method of the boycott and illegal intimidation, and secondly the large powers given to it by the Local Government Act of 1898. This measure placed in the hands of the League all offices of emolument and authority in the county, urban, and rural district councils of the west of Ireland. Throughout the whole of Connaught and in many other parts of the country no one could become a member of these councils unless he were a certified member of the League, and the election of councillors and the appointment of officials used even to be arranged at meetings of the local branches of the League and forwarded to the Council for formal ratification. Moreover, under the Local Government Act of 1898 the League was able through the medium of the councils to plant labourers' cottages upon the lands of unpopular persons; and cases occurred in which evicted tenants were actually thrust back upon their former landlords under the cloak of these cottages. But with all this legal facility, boycotting was still the most effective instrument of unscrupulous coercion. Were a farmer the victim, tradesmen were forbidden to supply him with food or measure him for clothes; his domestic and farm servants were ordered to leave him, and blacksmiths could not shoe his horses, nor carters carry his farm produce. One carter of the name of M'Niffe, who ventured to draw sand to the police hut at Chaffpool, was subjected to such severe punishment by the League, that after a short while he submitted, writing a servile apology to his tormentors, which was promptly and publicly posted up on the walls of all the neighbouring villages. The methods employed by the League to enforce its decrees were various and always cleverly adapted to the circumstances of the victim. Among those most generally made use of were the total isolation of boycotted persons from the rest of their kind, the publication in certain newspapers of the names of offenders or non-subscribers to the League, the surreptitious delivery to shopkeepers of letters warning them not to supply

boycotted persons, and the interference with the sale at fairs and markets of the cattle and produce of offenders. The arm of the League reached even to the grave and disturbed the rites of the dead. In 1902 at Drom, in the Templemore district, a poor woman had incurred its displeasure by letting her house as barrack accommodation for the additional police that it had been found necessary to send there, and was in consequence rigidly boycotted and shunned like a pestilence by nearly every one. After a while she died, and the League authorities issued an order that no one was to follow her remains to their final resting-place, and before her own son dared to perform this last holy and terrible service he was obliged to obtain the special permission of these implacable foes. High mass was celebrated in the chapel by five priests in the presence of a congregation which consisted of the son of the deceased, and the police and the Royal Irish Constabulary had actually to dig the grave, lower the body, and cover it in, in the enforced absence of the proper functionaries.

On February 7, 1900, the work of what was supposed to be the complete reunion of the Nationalist party, which had been split into two sections by the Parnell divorce scandal, was completed. The foundations for the reunion were laid first of all at a conference of fifty Nationalist members of Parliament, at which various proposals, framed by Edward Blake, were discussed, and then at a meeting of seven members of the National party in the Mansion House, Dublin, on January 18, 1900, presided over by Mr. Harrington, where it was decided to accept the proposals agreed to by the majority. John Redmond was chosen sessional chairman of the reunited party. The same year the National Federation, which had been the organization of the majority of the Nationalists for the last nine years, was merged in the United Irish League.

APPENDIX CI

THE AGRICULTURE AND TECHNICAL INSTRUCTION ACT, 1899

IN 1899 the Agriculture and Technical Instruction Act was passed for Ireland.¹ The Recess Committee of 1895 had instituted an inquiry into the means by which the Government could best promote the development of agricultural and industrial resources. Commissioners were despatched to various European countries to push their researches, Michael Mulhall, the statistician, being the chief labourer in this field; but the state of the Committee's funds did not permit of an inquiry in the United States or Canada, which would have added considerably to the value of their investigations. Their report recommended the creation of a Department of Government with a Minister at its head directly responsible to the Government of the day. The central body was to be assisted by a Consultative Council representative of the interests concerned, and the Department was to be endowed out of the Imperial Treasury, and to administer State aid to agriculture and other industries in Ireland upon certain settled principles. The proposal to amalgamate agriculture and industries under one department was adopted on account of the opinion held by M. Tisserand, the Director-General of Agriculture in France. Public opinion grew rapidly in favour of the idea. Before the end of 1896, a deputation representing all the leading agricultural and industrial interests in Ireland waited on the Imperial Government in order to press the proposals upon them, and backed up by this expression of national good-will a Bill for the creation of the

¹ See Horace Plunket's *Ireland in the New Century*, from which the information in the text is obtained.

Department was introduced by Gerald Balfour in 1897. But it had to be withdrawn on account of the pressure of the Local Government Bill of 1898, and it was not until 1899 that another Bill was introduced and carried.

The Department which was created, and which, thanks to the zeal of Horace Plunket, furnished scope for much wasted energy in Ireland, was known as the "Department of Agriculture and other Industries and Technical Instruction in Ireland and for other purposes connected therewith." It comprised various separate Departments which had existed before, namely, the Veterinary Department of the Privy Council, the office of Inspectors of Irish Fisheries, the administration of Science and Arts grants from South Kensington, the grant in aid of Technical Instruction, the Royal College of Science, the Metropolitan School of Art, the Albert Institute at Glasnevin, and the Munster Institute in Cork, the two latter being for the purpose of teaching practical agriculture. The new Department consisted of a President, a Vice-President, who was the direct ministerial head, a Secretary, and two Assistant-Secretaries. It was advised and assisted in its work by (1) A Council of Agriculture, consisting of two members appointed by each County Council (Cork being regarded as two counties), that is to say, sixty-eight members, and thirty-four members appointed by the Department, the same provincial proportions being observed, including the President and Vice-President, who were *ex officio* members, making a total of one hundred and four persons. The Council was appointed for three years dating from April 1, 1900, and was to be convened by the Department at least once a year. At the first triennial meeting it divided itself into four Provincial Committees, each of which elected two members to represent its province on the Agricultural Board and one member to represent it on the Board of Technical Instruction. (2) Two Boards—(a) The first concerned with Agriculture, Rural Industries, and Inland Fisheries, etc., to consist of twelve members, eight of whom were to be elected by the four provincial committees, and four by the Department. (b) The second, a Board of Technical Instruction consisting of twenty-one members and a President and Vice-President; four being elected by the Council of Agriculture, and four by the Department. Each of the County Boroughs of Dublin was to appoint three, the remaining four County Boroughs one each, the Joint Committee of Councils of large urban districts round Dublin one, the Commissioners of National Education one, and the Intermediate Board of Education one. To these Boards was to be submitted for their concurrence the expenditure of all moneys out of the Endowment Funds, which gave them considerable power. (3) A Consultative Committee, to advise on Educational questions, was to be composed of the Vice-President of the Department, one member appointed by the Commissioners of National Education, one by the Intermediate Education Board, one by the Agricultural Board, and one by the Board of Technical Instruction.

The powers of the new Department included the aiding, improving and developing of agriculture in all its branches, horticulture, forestry, home and cottage industries, sea and inland fisheries, the facilitating of the transit of produce, and the organization of a system of education in science and art, and in technology as applied to these various subjects. The provision of technical instruction suitable to the needs of the few manufacturing centres was also included. The Act empowered the Council of any county or of any urban district, or any two or more public bodies jointly, to appoint committees composed partly of members of the local bodies, and partly of co-opted persons, for the purpose of carrying out such of the Department's schemes as were of local and not general importance. The Department was not to apply or approve of the application of money to schemes in respect of which aid was not given out of money provided by local authorities or from other local sources, except under special circumstances. To meet this

requirement the local authorities were given the power of raising a limited rate for the purposes of the Act.

Agricultural Banks or Credit Associations were also developed about this time. They were organized upon the Raffeisen system with the object of creating credit as a means of introducing capital into the Agricultural Industry. At the commencement of 1905 there were about one hundred of them. They had no subscribed capital, but every member was liable for the entire debts of the Association, so that men only of approved character and capacity were admitted. Each Association started on its way by borrowing a sum of money on the joint and several security of its members. A member desiring to borrow from the Association was not required to give tangible security, but had to bring two sureties. He filled up an application form which stated, among other things, what he wanted the money for. The rules provided—and this was the salient feature of the system—that a loan should be made for a productive purpose only, the borrower being enabled to repay the loan out of the results of the use made of the money lent. A member, who did not apply the money to the agreed productive purpose, might be expelled from the Association. Up to 1905 this rule, however, had never to be put in force, although the Banks were invariably situated in very poor districts. The term for which the money was advanced was matter of agreement between borrower and bank, a convenient system, when a man borrowed to sow a crop, and had not to repay the loan until after the harvest. The Society borrowed at 4 per cent. or 5 per cent. and lent at 5 per cent. or 6 per cent. In some cases the Congested Districts Board or the Department of Agriculture made loans to these banks at 3 per cent., which enabled them to lend at one penny for the use of a pound for a month. The borrower generally made large profits, so that the loans became known as "the lucky money," and he was always punctual in his repayments to the Association.

APPENDIX CII

LAND ACT, 1903

IN 1894 a Tenant Bill was introduced by Lord Rosebery's Government for the purpose of reinstating those tenants who, in spite of all the recent Land legislation with its reduced rents and fixity of tenure, had been unable or unwilling to pay their rents and been consequently evicted.¹ To provide for this scheme a quarter of a million was to be appropriated from the funds of the Irish Church, and three men were to be nominated by the Government, who, unfettered by any right of appeal, were to have the power of reinstating in his holding any Irish tenant or his representative who might have been evicted since the year 1879. The only restriction placed upon the will of this triumvirate was, that before reinstatement, the consent of the tenant in actual occupation had to be obtained, but this provision was nugatory, as in

¹ In 1894 the Morley Committee (a Select Committee of the House of Commons) had reported—

"Your Committee can come to no other conclusion than that the general practice of the sub-commission courts has been, and is, to deny to the tenant that share in the value of his improvements to which the Court of Appeal declared him to be entitled, and to leave out of account that interest of the tenant to which the statute expressly directed the Courts to have regard."

many parts of Ireland no man's life would be worth a cent who ventured to refuse it.¹ The Bill was eventually defeated in the House of Lords.

In 1896 a Land Act was introduced by Gerald Balfour and passed by the Salisbury Government. The two sections of Parnell's old party, which had split asunder after the disappearance of its leader, had fought over his body at the polls and thus destroyed concerted action: whilst the Roman Catholic Clergy, in continuance of their former policy, had thrown their whole strength into the scale of the faction that rejected the Parnellite tradition, and thus secured the return of seventy Irish members of the National Federation to St. Stephen's, as against a dozen who remained true to their old chief's memory. By the Act of 1896, which was framed chiefly in the interest of the Presbyterian farmers of Ulster, the procedure for fixing "fair" rents was improved, and those leases were protected which created "fixity" under the new tenure and might possibly have been annulled. In pursuance of the doctrine that old arrears of rent should no longer be permitted to hang over the heads of tenants, rent was made irrecoverable on eviction, if due for upwards of two years. Lands hitherto excluded under the Acts of 1881 and 1887 from the benefits of the "Three F's," namely, demesnes, town parks, and residential and pastoral holdings, were now made subject to "fair" rents and all the consequences of that system. There were also various provisions in regard to tenants' improvements, which had been exempted from rent under the Act of 1881. For the purpose of securing such exemption to tenants, their definition underwent a complete alteration. The land commission was to estimate the fair rent on the assumption that all the improvements on the holding were the landlord's property, and then to calculate the value of the improvements belonging to the tenant and to deduct the letting value due to the latter from the fair rent of the holding as it stood. The restrictions on the period within which claims for improvements might be made were to a great extent removed, and the power of "contracting out" of such claims was still further abridged. In fact, the entire law as to the "exemption of tenants" improvements from rent was placed on an altogether fresh foundation, nugatory for the purpose of allaying agrarian discontent and entailing the ultimate aggravation of the whole disorder.

The same Act contained another principle never applied before and erroneously called "Land Purchase." This was by far the most important feature of the Bill, as it asserted a radically new doctrine in regard to land tenure. The clause in question enabled the landlord's guarantee to be dispensed with, and provided that the tenants should virtually have a right of pre-emption in the case of estates of irremediably embarrassed landlords being offered for sale in the Courts. The principle of "Compulsory Purchase" was thus in reality introduced, and under the euphemistic name of "Land Purchase" recognized by the law. A system of decadal reductions in the repayment of loans advanced by the State for the purchase of land was also provided for, the time of repayment being extended from forty-nine

¹ Lecky, in his *Democracy and Liberty*, says of this Bill—

"The tenant might have been evicted for dishonesty, for violence, for criminal conspiracy, for hopeless and long-continued bankruptcy. He might be living in America. The owner of the soil might delay the eviction for years after the law had empowered him to carry it out, and he might have at last taken the land into his own possession, and have been, during many years, farming it himself. He had no right of refusing his consent, and his only alternative was to take back the former tenant or to sell to him the farm at whatever price a revolutionary and despotic tribunal might determine.

"The explanation of the measure was very plain. It was specially intended for the benefit of the 'Plan of campaign' tenants, who had placed money which was actually in their possession, and which was due to their landlords for benefits already received, in the hands of 'trustees,' for the express purpose of defrauding their creditors."

to about seventy years. This secured to the buyer an abatement each ten years, calculated upon the reduction in the capital sum made by the annual instalments in liquidation of the debt.

In 1897 a Commission presided over by Sir Edward Fry was appointed for the purpose of carrying out a thorough investigation into the past and present proceedings of the Land Commission and its Sub-Commissioners, who, on the arrival in 1896 of the period for the renewal of the first statutory leases of fifteen years under the Act of 1881, had made prodigious reductions of rent upon no clearly defined principles whatever. The original reductions effected by the Land Commission in the case of the first statutory leases in 1881 were on the average rather more than 20 per cent. on the old rental, but the reductions on the second statutory leases in 1896 were 22 per cent. more; that is to say, the policy of fixing "fair" rents had reduced them more than 42 per cent. Amid various omissions on the part of the Land Commissioners, the Fry Commission pointed out that the obvious duty of the former was to render advisory assistance to the Sub-Commissioners in the fixing of "fair" rents, but this they had not done, or so imperfectly that they had caused more harm than complete neglect. The Commission also strongly animadverted on the appeal system of the Land Commission which was merely a policy of undiluted echo.¹

Ireland, however, at the commencement of 1898 was enjoying a period of unusual peace. The Land Question was for the moment in a state of suspended animation. The number of absentees was still very large, but of the old middleman tenures there were scarcely any left, and precarious tenancies, unjust evictions, confiscations of tenants' rights, and excessive rents had been swept away, thus freeing tenants from the old dependency upon their landlords. In fact, Ireland was quieter than at any period since the Fenian outbreak. The storms which had darkened the Irish skies from 1879 to 1887 had broken up; the disorders caused by the "New Departure" policy, by Parnell's visit to America, and the suppression of the Land League had subsided, and the class feuds engendered by the Land and National Leagues had been laid temporarily to rest. The Home Rule cry was still heard, but was weak; agrarian crime was almost extinct; rentals and other liabilities, in spite of continued agricultural depression, were regularly paid, and the conspiracy that had so long brooded across the Atlantic was all but dead. The burden, however, which had been removed from the shoulders of the actual occupiers of the soil had now been placed in reserve for those of any future occupiers. The indiscriminate reduction of rents had, by unduly increasing the value of the tenant's interest in his holding, subjected the successors of an outgoing tenant to huge payments to the latter in consideration of it. In fact, the value of the fee-simple, through the negligence of the Land Commission and its appendices, had been lowered fully one-third, whilst that of tenant-right had been enhanced in the same proportion. Moreover, the lands of Ireland had been placed under what have been termed leases for ever, renewable every fifteen years, through litigation, by a tribunal of the State, which was also empowered to fix the rents they were to yield. Therefore the ordinary tenant, in accordance with those laws of nature which are more potent as a rule than the prickings of a sluggish conscience, was tempted to purposely exhaust the productiveness of his farm in order to be able to claim a reduction of rent when the time for renewing his lease arrived. A bribe was thus held out to the progressive deterioration of the soil. The abatement of rentals had also naturally led to subdivision and subletting of holdings—a palingenesis of the old system, with its unlovely concomitant, the almost extinct middleman; whilst the practice of transferring landlords' property to occupiers at the charge only

¹ See *Report of H. M. Commissioners of Enquiry into the Procedure and Practice and the Methods of Valuation, etc.*, 1898.

to the latter of a terminable annuity much inferior to any rent, was also leading to the cry for "Compulsory Purchase" on the part of those tenants who had been unable to complete a similar transaction.

In 1901 George Wyndham, the Chief Secretary, found it necessary to put in force the provisions of the Coercion Act of 1887, and various districts in some seventeen counties were proclaimed. The following year he introduced on behalf of the Conservative Government another Land Bill for Ireland, known as the Land Purchase Acts Amendment Bill. With regard to the purchase and resale of estates the Bill of 1902 provided that the owner of an estate could request the Land Commission to state the price at which they were prepared to purchase the estate, and the latter were thereupon to furnish him with a preliminary estimate of the price which they might consider reasonable. If the owner should agree, and his tenants to the extent of not less than three-fourths in number and rateable value undertook to purchase from the Land Commission their holdings, or other designated parcels of land in lieu thereof, and if the Commission were of opinion that the resale of the estate could be effected without prospect of loss, the Commission might agree to the purchase. In the case of certain "congested estates" the condition as to resale without prospect of loss could be relaxed with the consent of the Lord-Lieutenant, if the purchase and resale of the estate in the opinion of the Commission were desirable in view of the wants and circumstances of the tenants.

The following were the limitations on the spending powers of the Land Commission under the Bill :—The Commission was not at any time to hold more than one million pounds' worth of land in respect of which no undertakings to purchase had been received by them ; nor could they in any one year spend on congested estates sums exceeding in the aggregate by 10 per cent. the aggregate sums for which they estimated that they could be resold. This restriction, however, was relaxed in the cases where the expenses of improving such estates were to be deemed repayable out of the proceeds of resale. As to persons with whom the Land Commission might enter into agreement as owners, the Bill, in order to simplify the method of procedure, provided that, where any person satisfied the Land Commission that he had been for not less than six years in *bona fide* receipt of the rents or profits of the land, and was in like manner still in receipt of them as a tenant for life within the meaning of the Settled Lands Acts, 1882 to 1890, he could, if the Commission thought fit, be dealt with as the owner of the land for the purposes of sale without any further investigation of his title. As regards agreement for purchase and vesting order, the Land Commission could, where they agreed to purchase any land, make an order vesting in the Commission the fee-simple and inheritance of the land purchased, subject to any public rights affecting the land and any interests of the tenants on the land or of persons having claims upon those interests, but discharged from all other claims.

The following were the chief provisions with regard to general finance. The sums required by the Land Commission for advances to would-be tenant-purchasers were to be advanced to them by the National Debt Commissioners out of the Local Loans Fund. The Land Commission were to pay out of the Land Purchase Account to the National Debt Commissioners an amount equal to the aggregate of the current half-yearly instalments of the purchase annuities on all the advances, and the National Debt Commissioners were to accumulate the portions of the same which represented the payment of capital for the purpose of discharging the advances. The advance was to be repaid by an annuity of three pounds fifteen shillings for every hundred pounds of the advance, and so in proportion for any less sum, and to be paid until the whole advance was discharged. Every such annuity, or any portion of it, could be redeemed.

In regard to land law the Bill provided, that, where the landlord or the occupier made an application to fix the fair rent of a holding subject to a judicial rent, the party that did not make the application could ask the Land Commission to report on what terms the sale of the holding could be carried out. The Land Commission were thereupon, before hearing the application to fix a fair rent, to make a report accordingly and forward a copy of it to the applicant for a sale, and if he undertook to enter into an agreement in accordance with the report, the Land Commission were to forward a copy of the undertaking to the other party, and, if both parties agreed accordingly, the sale was to be carried into effect. If the applicant for a sale, however, should decline to give the said undertaking, the application to fix a fair rent was to be heard and determined. If, on the other hand, the applicant for a fair rent declined, the existing judicial rent was to continue to be payable for a further period of fifteen years. The declining party in each case was to pay, as might be thought fit by the Land Commission, the whole or part of the costs of the proceedings. Where a tenant of a holding, subject to a judicial rent, on an estate vested in the Land Commission applied to have the fair rent of his holding fixed, the Commission were to serve a notice on him stating the terms on which they were prepared to make an advance for the purchase money of the holding, and if he declined to enter into an agreement in accordance with the notice, the existing judicial rent was to remain payable for fifteen years. The Bill also provided that the fixing of fair rents might be entrusted to two Commissioners instead of to three, as was previously the case, and that appeals with respect to "fair" rents might be heard, not by the Land Commission sitting as a full Court, but by one Judicial Commissioner assisted by an expert assessor.

Finding in October 1902 that they could not float their measure, the Government announced their intention to drop it and introduce another one the following year. The United Irish League had meanwhile developed into a force which they could ill afford to disregard, and another Coercion Bill had to be passed for Ireland—the eighty-seventh on the list. In 1903 Wyndham introduced the promised Land Bill which was framed more or less on the report of the Dunraven Land Conference. At the end of 1902 Captain Shawe-Taylor, the son of a Galway landlord, invited the Duke of Abercorn, Lord Barrymore, and others in behalf of the landlords, to meet John Redmond, William O'Brien, T. W. Russell, and Lord Mayor Harrington, of Dublin, in behalf of the tenants. These landlords declined to act, whereupon Captain Shawe-Taylor invited Lord Dunraven, Lord Mayo, Colonel Hutchinson-Poe, and Colonel Everard to meet the representatives of the tenants. These parties met in the Mansion House, Dublin, in December 1902, with Lord Dunraven in the chair. On January 3, 1903, the proposals of the conference were published in the press, of which the following were the most important—

"4. An equitable price ought to be paid to the owners, which should be based upon income.

"Income, as it appears to us, is second-term rents, including all rents fixed subsequent to the passing of the Act of 1896, or their fair equivalent.

"5. That the purchase price should be based upon income as indicated above, and should either be the assurance by the State of such income, or the payment of a capital sum producing such income at 3 per cent., or at 3½ per cent. if guaranteed by the State, or if the existing powers of trustees be sufficiently enlarged.

"Costs of collection (of estate rentals) where such exist, not exceeding 10 per cent., are not included for the purpose of these paragraphs in the word income.

"6. That such income or capital sum should be obtainable by the owners :
(a) Without the requirement of capital outlay upon their part, such as would be involved by charges for proving title to sell ; six years' possession

as proposed in the Bill of 1902 appears to us a satisfactory method of dealing with the matter ; (b) Without the requirement of outlay to prove title to receive the purchase money ; (c) Without unreasonable delay ; (d) Without loss of income pending investment ; and (e) Without leaving portion of the capital sum as a guarantee deposit.

" . . . That the owners should receive some recognition of the facts that selling may involve sacrifice of sentiment, that they have already suffered heavily by the operations of the Land Acts, and that they should receive some inducements to sell."

The landlords were to be enabled to sell their mansions and demesne lands to the State, to be bought back again by themselves, such repurchase not to be considered a security to the mortgagees.¹ The system of dual ownership was to be abolished, the tenants were to be made occupying proprietors, and the evicted tenants were to be restored on an equitable basis. Separate and exceptional treatment was to be accorded to the congested districts, and the Labourers' Dwellings Acts were to be amended.

Wyndham's Bill of 1903, as passed into law, and which, as mentioned above, was framed on the lines of these proposals, enacted that a total sum of £112,000,000 (£12,000,000 of which was to go as bonus to the landlords) should be provided in State credit towards buying out the landlords. One hundred of the millions were to be loanable at £3 5s. for each £100 ; £2 15s. for annual interest, and 10s. towards a sinking fund, instead of £1 5s. under the old plan, which meant a longer term of years in which the annuity had to be paid. There were to be no decadal abatements. Certain legal expenses up till then charged against the purchase money, were to be paid in future out of the public funds, which would be equal, as a rule, to a gift of one year's purchase. The landlords were to be paid in cash instead of in stock.

¹ The Commissioners reported in 1905—

"So far as the Commissioners are aware from information before them, owners of demesnes have in every case either retained the demesne lands in their own hands or, where the lands have been sold to the Commissioners, have repurchased them under the provisions of Section 3 of the Act ; from which it would appear that there is no intention on the part of the landowners to part with their houses and demesnes, and leave the country as soon as they have sold their estates."

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